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No. 153

## House of Representatives

The House was not in session today. Its next meeting will be held on Tuesday, December 16, 2014, at 12 noon.

## Senate

SATURDAY, DECEMBER 13, 2014

The Senate met at 12 noon and was called to order by the President pro tempore (Mr. LEAHY).

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:  
Let us pray.

Eternal God, the giver of every good and perfect gift, thank You for this season of giving that reminds us of Your blessing of salvation.

Your redemptive thread can be seen throughout the fabric of our Nation's history. Redeem us again. Make Your redemptive power give wisdom and courage to our lawmakers as You illu-

minate their path with the light of Your guidance. Empower them to make their decisions after weighing them on the scale of long-term consequences.

Today, bless our United States Capitol Police, who routinely risk their lives for liberty. Surround them and their loved ones with the shield of Your protection and favor.

### NOTICE

If the 113th Congress, 2nd Session, adjourns sine die on or before December 24, 2014, a final issue of the *Congressional Record* for the 113th Congress, 2nd Session, will be published on Wednesday, December 31, 2014, to permit Members to insert statements.

All material for insertion must be signed by the Member and delivered to the respective offices of the Official Reporters of Debates (Room HT-59 or S-123 of the Capitol), Monday through Friday, between the hours of 10:00 a.m. and 3:00 p.m. through Tuesday, December 30. The final issue will be dated Wednesday, December 31, 2014, and will be delivered on Monday, January 5, 2015.

None of the material printed in the final issue of the *Congressional Record* may contain subject matter, or relate to any event, that occurred after the sine die date.

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By order of the Joint Committee on Printing.

CHARLES E. SCHUMER, *Chairman*.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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S6795

In a special way embrace Senator THAD COCHRAN with Your transforming presence as he grieves the loss of his beloved Rose. Lord, thank You for the life and legacy of Rose Cochran.

We pray in Your great Name. Amen.

#### PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

#### RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

#### SCHEDULE

Mr. REID. Mr. President, following my remarks and those of the Republican leader, the Senate will resume consideration of the motion to concur in the House amendment to the Senate amendment to H.R. 83, which is the omnibus spending bill.

Rollcall votes are expected throughout the day. If no time agreement is reached, the cloture vote on the motion to concur in relation to the omnibus will be at approximately 1 a.m. tomorrow morning.

#### FUNDING THE GOVERNMENT

Mr. REID. Mr. President, I won't use a lot of time here this morning because we have a lot to do.

We worked for a long time yesterday, into the late hours of the night, trying to secure an agreement to vote on a long-term government funding bill. I was last talking to the chairman of the Appropriations Committee at 11 o'clock last night.

Regrettably, a small group of Senate Republicans has determined it is in their political interests to hold this legislation hostage. They objected to an agreement that would allow us to vote on Monday night. We are now relegated to watching time tick away on our clocks just so we can keep the government open and funded. I remind everyone that at 12 o'clock midnight—12 a.m.—the U.S. Government, tonight, runs out of money.

We even tried to get an agreement last night to extend government funding for a few extra days while we worked to pass the long-term funding bill, but the Republicans wouldn't let us do that.

So now we wait. But while we wait, we shouldn't waste time. Republicans and their leader have known for weeks, if not months, that we intend to vote on the President's nominations. So it is clear that this impasse we are having here today is not about nominees, it is about preventing us from funding the government. So now, on the eve of

our government running out of funding, Senate Republicans are forcing completely unnecessary procedural votes just to waste time and slow us down from funding the government.

It doesn't have to be this way. We can still come to an agreement to take care of funding for our great country right now.

Mr. DURBIN. Will the majority leader yield for a question?

Mr. REID. I will yield for a question.

Mr. DURBIN. I would like to ask the majority leader for some clarification.

Is my understanding correct that at midnight tonight officially the funding of our government ceases?

Mr. REID. Absolutely true.

Mr. DURBIN. And the majority leader asked the Republican side of the aisle to at least extend it several days while we completed our work on the omnibus budget bill sent to us by the House?

Mr. REID. Yes, we had yesterday evening a piece of legislation from the House doing just that—extending the time for a few days.

Mr. DURBIN. Was there an objection by the Republicans to the short-term extension so our government would continue operating?

Mr. REID. We were told it wouldn't be necessary to do that because we couldn't get agreement to do it. So the answer is yes.

Mr. DURBIN. Late last night, the junior Senator from Texas came to the floor. Is he part of the group that is objecting to moving forward on the omnibus bill?

Mr. REID. Well, it appears so. At 10 o'clock or so last night he gave a relatively extended speech. If someone looks at that speech, he wasn't critical of me. Most of his criticism was for the Speaker and the Republican leader here. He was challenging whether they were people of their word as to what they were going to do.

Mr. DURBIN. I might just ask the majority leader, this is the same Senator who shut down the government last year in protest over the Affordable Care Act?

Mr. REID. The very same man. Now he is hung up on not only the Affordable Care Act but the President's action to give 5 million people relief in this country so they can come out of the shadows and make our country a more productive place.

Mr. DURBIN. I thank the majority leader and hope we can find some support to moving forward to fund the government and accept our responsibilities.

#### RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

#### INSULAR AREAS AND FREELY ASSOCIATED STATES ENERGY DEVELOPMENT

The PRESIDENT pro tempore. Under the previous order, the Senate will re-

sume consideration of the message to accompany H.R. 83, which the clerk will report.

The assistant legislative clerk read as follows:

Motion to concur in the House amendment to the Senate amendment to H.R. 83, an act to require the Secretary of the Interior to assemble a team of technical, policy, and financial experts to address the energy needs of the insular areas of the United States and the Freely Associated States through the development of energy action plans aimed at promoting access to affordable, reliable energy, including increasing use of indigenous clean-energy resources, and for other purposes.

Pending:

Reid motion to concur in the amendment of the House to the amendment of the Senate to the bill.

Reid motion to concur in the amendment of the House to the amendment of the Senate to the bill, with Reid amendment No. 4100 (to the amendment of the House to the amendment of the Senate to the bill), to change the enactment date.

Reid amendment No. 4101 (to amendment No. 4100), of a perfecting nature.

Reid motion to refer the message of the House on the bill to the Committee on Appropriations, with instructions, Reid amendment No. 4102, to change the enactment date.

Reid amendment No. 4103 (to (the instructions) amendment No. 4102), of a perfecting nature.

Reid amendment No. 4104 (to amendment No. 4103), of a perfecting nature.

Mr. REID. I now move to proceed to executive session to consider Calendar No. 1084.

The PRESIDENT pro tempore. The question is on agreeing to the motion.

Mr. McCONNELL. I ask for the yeas and nays.

The PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN), the Senator from Iowa (Mr. HARKIN), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Maryland (Ms. MIKULSKI), the Senator from Florida (Mr. NELSON), the Senator from Vermont (Mr. SANDERS), and the Senator from Colorado (Mr. UDALL) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Missouri (Mr. BLUNT), the Senator from Georgia (Mr. CHAMBLISS), the Senator from Oklahoma (Mr. COBURN), the Senator from Tennessee (Mr. CORKER), the Senator from Wyoming (Mr. ENZI), the Senator from Oklahoma (Mr. INHOFE), the Senator from Nebraska (Mr. JOHANNES), the Senator from Ohio (Mr. PORTMAN), the Senator from Florida (Mr. RUBIO), and the Senator from South Carolina (Mr. SCOTT).

The PRESIDING OFFICER (Ms. HEITKAMP). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 48, nays 35, as follows:

[Rollcall Vote No. 327 Leg.]

## YEAS—48

Baldwin	Hagan	Murray
Begich	Heinrich	Pryor
Bennet	Heitkamp	Reed
Blumenthal	Hirono	Reid
Booker	Johnson (SD)	Rockefeller
Boxer	Kaine	Schatz
Brown	King	Schumer
Cantwell	Klobuchar	Shaheen
Cardin	Landrieu	Stabenow
Carper	Leahy	Tester
Casey	Levin	Udall (NM)
Coons	Manchin	Walsh
Donnelly	Markley	Warner
Durbin	McCaskill	Warren
Franken	Merkley	Whitehouse
Gillibrand	Murphy	Wyden

## NAYS—35

Alexander	Flake	Moran
Ayotte	Graham	Murkowski
Barrasso	Grassley	Paul
Boozman	Hatch	Risch
Burr	Heller	Roberts
Coats	Hoeven	Sessions
Cochran	Isakson	Shelby
Collins	Johnson (WI)	Thune
Cornyn	Kirk	Toomey
Crapo	Lee	Vitter
Cruz	McCain	Wicker
Fischer	McConnell	

## NOT VOTING—17

Blunt	Harkin	Portman
Chambliss	Inhofe	Rubio
Coburn	Johanns	Sanders
Corker	Menendez	Scott
Enzi	Mikulski	Udall (CO)
Feinstein	Nelson	

The motion was agreed to.

## EXECUTIVE SESSION

## NOMINATION OF SARAH R. SALDANA TO BE AN ASSISTANT SECRETARY OF HOMELAND SECURITY

The PRESIDING OFFICER. The clerk will report the nomination.

The assistant legislative clerk read the nomination of Sarah R. Saldana, of Texas, to be an Assistant Secretary of Homeland Security.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Could we have order.

The PRESIDING OFFICER. The Senate will come to order.

Mr. REID. Madam President, we have a series of votes we are going to do today and we are going to cut the votes off at the exact time, so everybody would be better off to stay here on the Senate floor because these are going to move every 20 minutes.

## CLOTURE MOTION

There is a cloture motion at the desk which I ask the Chair to order be reported.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Sarah R. Saldana, of Texas, to be an Assistant Secretary of Homeland Security.

Harry Reid, Thomas R. Carper, Patrick J. Leahy, Patty Murray, Tom Udall, Brian Schatz, Charles E. Schumer, Bar-

bara Boxer, Benjamin L. Cardin, Richard Blumenthal, Jeff Merkley, Al Franken, Robert P. Casey, Jr., Martin Heinrich, Elizabeth Warren, Richard J. Durbin, Christopher Murphy.

Mr. REID. Madam President, I ask unanimous consent that the mandatory quorum under rule XXII be waived.

The PRESIDING OFFICER. Is there objection?

Mr. WICKER. I object.

The PRESIDING OFFICER. Objection is heard.

The Senate will be in order.

Mr. REID. I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

Mr. MCCONNELL. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second?

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Maryland (Ms. MIKULSKI), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Georgia (Mr. CHAMBLISS), the Senator from Oklahoma (Mr. COBURN), the Senator from Oklahoma (Mr. INHOFE), and the Senator from Ohio (Mr. PORTMAN).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 52, nays 40 as follows:

[Rollcall Vote No. 328 Ex.]

## YEAS—52

Baldwin	Harkin	Pryor
Begich	Heinrich	Reed
Bennet	Heitkamp	Reid
Blumenthal	Hirono	Rockefeller
Booker	Johnson (SD)	Schatz
Boxer	Kaine	Schumer
Brown	King	Shaheen
Cantwell	Klobuchar	Stabenow
Cardin	Landrieu	Tester
Carper	Leahy	Udall (CO)
Casey	Levin	Udall (NM)
Collins	Manchin	Walsh
Coons	Markley	Warner
Donnelly	McCaskill	Warren
Durbin	Merkley	Whitehouse
Franken	Murphy	Wyden
Gillibrand	Murray	
Hagan	Nelson	

## NAYS—40

Alexander	Flake	Murkowski
Ayotte	Graham	Paul
Barrasso	Grassley	Risch
Blunt	Hatch	Roberts
Boozman	Heller	Rubio
Burr	Hoeven	Scott
Coats	Isakson	Sessions
Cochran	Johanns	Shelby
Corker	Johnson (WI)	Thune
Cornyn	Kirk	Toomey
Crapo	Lee	Vitter
Cruz	McCain	Wicker
Enzi	McConnell	
Fischer	Moran	

## NOT VOTING—8

Chambliss	Inhofe	Portman
Coburn	Menendez	Sanders
Feinstein	Mikulski	

The motion was agreed to.

## LEGISLATIVE SESSION

Mr. REID. Madam President, I move to proceed to executive session to consider Calendar No. 1058.

The PRESIDING OFFICER. The question is on agreeing to the motion.

Mr. JOHANNIS. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN), the Senator from Maryland (Ms. MIKULSKI), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Georgia (Mr. CHAMBLISS), the Senator from Oklahoma (Mr. COBURN), the Senator from Oklahoma (Mr. INHOFE), and the Senator from Ohio (Mr. PORTMAN).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 52, nays 41, as follows:

[Rollcall Vote No. 329 Leg.]

## YEAS—52

Baldwin	Heinrich	Pryor
Begich	Heitkamp	Reed
Bennet	Hirono	Reid
Blumenthal	Johnson (SD)	Rockefeller
Booker	Kaine	Schatz
Boxer	King	Schumer
Brown	Klobuchar	Shaheen
Cantwell	Landrieu	Stabenow
Cardin	Leahy	Stabenow
Carper	Levin	Tester
Casey	Manchin	Udall (CO)
Coons	Markley	Udall (NM)
Donnelly	McCaskill	Walsh
Durbin	Menendez	Warner
Franken	Merkley	Warren
Gillibrand	Murphy	Whitehouse
Hagan	Murray	Wyden
Harkin	Nelson	

## NAYS—41

Alexander	Fischer	Moran
Ayotte	Flake	Murkowski
Barrasso	Graham	Paul
Blunt	Grassley	Risch
Boozman	Hatch	Roberts
Burr	Heller	Rubio
Coats	Hoeven	Scott
Cochran	Isakson	Sessions
Collins	Johanns	Shelby
Corker	Johnson (WI)	Thune
Cornyn	Kirk	Toomey
Crapo	Lee	Vitter
Cruz	McCain	Wicker
Enzi	McConnell	

## NOT VOTING—7

Chambliss	Inhofe	Sanders
Coburn	Mikulski	
Feinstein	Portman	

The motion was agreed to.

## EXECUTIVE SESSION

## NOMINATION OF CAROLYN WATTS COLVIN TO BE COMMISSIONER OF SOCIAL SECURITY

The PRESIDING OFFICER. The clerk will report the nomination.

The assistant legislative clerk read the nomination of Carolyn Watts Colvin, of Maryland, to be Commissioner of Social Security.

## CLOTURE MOTION

Mr. REID. I send a cloture motion to the desk and ask that it be reported.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant bill clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Carolyn Watts Colvin, of Maryland, to be Commissioner of Social Security.

Harry Reid, Ron Wyden, Barbara A. Mikulski, Benjamin L. Cardin, Christopher Murphy, Elizabeth Warren, Kirsten E. Gillibrand, Tom Harkin, Angus S. King, Jr., Richard Blumenthal, Charles E. Schumer, Mazie Hirono, Amy Klobuchar, Barbara Boxer, Tammy Baldwin, Bernard Sanders, Sheldon Whitehouse, Jeff Merkley.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Madam President, a number of Senators have come to me indicating that they have read the rules and the time for a vote is 15 minutes. I ask, through the Chair, is it true that the extra 5 minutes is not in the rule?

The PRESIDING OFFICER. Would the Senator restate his question?

Mr. REID. We have been calling votes at the end of 20 minutes. It is my understanding that the rule calls for votes to be 15 minutes in length.

The PRESIDING OFFICER. It is a 15-minute vote with a 5-minute grace period.

Mr. REID. Is the 5-minute grace period in the rule?

The PRESIDING OFFICER. The Chair will research the unanimous consent from January of last year.

Mr. REID. In the meantime, I move to proceed to legislative session.

Mr. JOHANNES. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

Mr. HATCH addressed the Chair.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. I voted for this fine woman coming out of the committee, but there since have arisen all kinds of problems concerning perhaps criminal problems at the Social Security—

Mr. REID. Madam President, I am sorry, I can't understand the Senator and I believe I have the floor.

The PRESIDING OFFICER. The Senate will come to order.

Mr. HATCH. Madam President, I will make one more statement. There is enough evidence of criminal conduct there—I am not accusing her but, on the other hand, she was the authority there.

Mr. REID. Regular order, Madam President.

Mr. HATCH. We should not be voting on this at this time.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The yeas and nays have been ordered.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN), the Senator from New York (Mrs. GILLIBRAND), the Senator from Maryland (Ms. MIKULSKI), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Georgia (Mr. CHAMBLISS), the Senator from Oklahoma (Mr. COBURN), the Senator from Oklahoma (Mr. INHOFE), and the Senator from Ohio (Mr. PORTMAN).

The PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 51, nays 41 as follows:

## [Rollcall Vote No. 330 Ex.]

## YEAS—51

Baldwin	Heinrich	Nelson
Begich	Heitkamp	Pryor
Bennet	Hirono	Reed
Blumenthal	Johnson (SD)	Reid
Booker	Kaine	Rockefeller
Boxer	King	Schatz
Brown	Klobuchar	Schumer
Cantwell	Landrieu	Shaheen
Cardin	Leahy	Stabenow
Carper	Levin	Tester
Casey	Manchin	Udall (CO)
Coons	Markey	Udall (NM)
Donnelly	McCaskill	Walsh
Durbin	Menendez	Warner
Franken	Merkley	Warren
Hagan	Murphy	Whitehouse
Harkin	Murray	Wyden

## NAYS—41

Alexander	Fischer	Moran
Ayotte	Flake	Murkowski
Barrasso	Graham	Paul
Blunt	Grassley	Risch
Boozman	Hatch	Roberts
Burr	Heller	Rubio
Coats	Hoeven	Scott
Cochran	Isakson	Sessions
Collins	Johanns	Shelby
Corker	Johnson (WI)	Thune
Cornyn	Kirk	Toomey
Crapo	Lee	Vitter
Cruz	McCain	Wicker
Enzi	McConnell	

## NOT VOTING—8

Chambliss	Gillibrand	Portman
Coburn	Inhofe	Sanders
Feinstein	Mikulski	

The motion was agreed to.

## LEGISLATIVE SESSION

The PRESIDENT pro tempore. The majority leader.

Mr. REID. Mr. President, I ask unanimous consent that any remaining votes with these nominations be 10 minutes in duration.

The PRESIDENT pro tempore. Is there objection?

Mr. CORNYN. I object.

The PRESIDENT pro tempore. Objection is heard.

Mr. REID. Mr. President, under the standing order rollcall votes are 15 minutes. What we usually do is have a grace period, just by practice. In the future the Chair will call the votes after 15 minutes.

The PRESIDENT pro tempore. The rule is 15 minutes. The votes will be called in 15 minutes.

The majority leader.

Mr. REID. Mr. President, I move to proceed to executive session to consider Calendar No. 681.

The PRESIDENT pro tempore. The question is on agreeing to the motion.

Mr. WICKER. Mr. President, I ask for the yeas and nays.

The PRESIDENT pro tempore. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN), the Senator from Maryland (Ms. MIKULSKI), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Georgia (Mr. CHAMBLISS), the Senator from Oklahoma (Mr. COBURN), the Senator from Oklahoma (Mr. INHOFE), the Senator from Illinois (Mr. KIRK), and the Senator from Ohio (Mr. PORTMAN).

The PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 52, nays 40, as follows:

## [Rollcall Vote No. 331 Leg.]

## YEAS—52

Baldwin	Heinrich	Pryor
Begich	Heitkamp	Reed
Bennet	Hirono	Reid
Blumenthal	Johnson (SD)	Rockefeller
Booker	Kaine	Schatz
Boxer	King	Schumer
Brown	Klobuchar	Shaheen
Cantwell	Landrieu	Stabenow
Cardin	Leahy	Tester
Carper	Levin	Udall (CO)
Casey	Manchin	Udall (NM)
Coons	Markey	Walsh
Donnelly	McCaskill	Warner
Durbin	Menendez	Warren
Franken	Merkley	Whitehouse
Gillibrand	Murphy	Wyden
Hagan	Murray	
Harkin	Nelson	

## NAYS—40

Alexander	Fischer	Murkowski
Ayotte	Flake	Paul
Barrasso	Graham	Risch
Blunt	Grassley	Roberts
Boozman	Hatch	Rubio
Burr	Heller	Scott
Coats	Hoeven	Sessions
Cochran	Isakson	Shelby
Collins	Johanns	Thune
Corker	Johnson (WI)	Toomey
Cornyn	Lee	Vitter
Crapo	McCain	Wicker
Cruz	McConnell	
Enzi	Moran	

## NOT VOTING—8

Chambliss	Inhofe	Portman
Coburn	Kirk	Sanders
Feinstein	Mikulski	

The motion was agreed to.

## EXECUTIVE SESSION

# NOMINATION OF VIVEK HALLEGERE MURTHY TO BE MEDICAL DIRECTOR IN THE REGULAR CORPS OF THE PUBLIC HEALTH SERVICE, SUBJECT TO QUALIFICATIONS THEREFOR AS PROVIDED BY LAW AND REGULATIONS, AND TO BE SURGEON GENERAL OF THE PUBLIC HEALTH SERVICE

The PRESIDENT pro tempore. The clerk will report the nomination.

The legislative clerk read the nomination of Vivek Hallegere Murthy, of Massachusetts, to be Medical Director in the Regular Corps of the Public Health Service, subject to qualifications therefor as provided by law and regulations, and to be Surgeon General of the Public Health Service.

## CLOTURE MOTION

Mr. REID. There is a cloture motion at the desk, and I ask that it be reported.

The PRESIDENT pro tempore. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Vivek Hallegere Murthy, of Massachusetts, to be Medical Director in the Regular Corps of the Public Health Service and to be Surgeon General of the Public Health Service.

Harry Reid, Tom Harkin, Patrick J. Leahy, Patty Murray, Tom Udall, Brian Schatz, Charles E. Schumer, Barbara Boxer, Benjamin L. Cardin, Richard Blumenthal, Jeff Merkley, Al Franken, Robert P. Casey, Jr., Elizabeth Warren, Richard J. Durbin, Christopher Murphy, Bernard Sanders.

Mr. REID. I move to proceed to legislative session.

The PRESIDENT pro tempore. The question is on agreeing to the motion.

Mr. REID. I ask for the yeas and nays.

The PRESIDENT pro tempore. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN), the Senator from Maryland (Ms. MIKULSKI), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Georgia (Mr. CHAMBLISS), the Senator from Oklahoma (Mr. COBURN), the

Senator from Oklahoma (Mr. INHOFE), and the Senator from Ohio (Mr. PORTMAN).

The PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 52, nays 41, as follows:

[Rollcall Vote No. 332 Ex.]

## YEAS—52

Baldwin	Heinrich	Pryor
Begich	Heitkamp	Reed
Bennet	Hirono	Reid
Blumenthal	Johnson (SD)	Rockefeller
Booker	Kaine	Schatz
Boxer	King	Schumer
Brown	Klobuchar	Shaheen
Cantwell	Landrieu	Stabenow
Cardin	Leahy	Tester
Carper	Levin	Udall (CO)
Casey	Manchin	Udall (NM)
Coons	Markey	Walsh
Donnelly	McCaskill	Warner
Durbin	Menendez	Warren
Franken	Merkley	Whitehouse
Gillibrand	Murphy	Wyden
Hagan	Murray	
Harkin	Nelson	

## NAYS—41

Alexander	Fischer	Moran
Ayotte	Flake	Murkowski
Barrasso	Graham	Paul
Blunt	Grassley	Risch
Boozman	Hatch	Roberts
Burr	Heller	Rubio
Coats	Hoeben	Scott
Cochran	Isakson	Sessions
Collins	Johanns	Shelby
Corker	Johnson (WI)	Thune
Cornyn	Kirk	Toomey
Crapo	Lee	Vitter
Cruz	McCain	Wicker
Enzi	McConnell	

## NOT VOTING—7

Chambliss	Inhofe	Sanders
Coburn	Mikulski	
Feinstein	Portman	

The motion was agreed to.

## LEGISLATIVE SESSION

The PRESIDENT pro tempore. The majority leader.

Mr. REID. I move to proceed to executive session to consider Calendar No. 1150, Antony Blinken.

The PRESIDENT pro tempore. The question is on agreeing to the motion to proceed.

Mr. WICKER. I ask for the yeas and nays.

The PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN), the Senator from Maryland (Ms. MIKULSKI), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Georgia (Mr. CHAMBLISS), the Senator from Oklahoma (Mr. COBURN), the Senator from Oklahoma (Mr. INHOFE), and the Senator from Ohio (Mr. PORTMAN).

The result was announced—yeas 52, nays 41, as follows:

[Rollcall Vote No. 333 Leg.]

## YEAS—52

Baldwin	Heinrich	Pryor
Begich	Heitkamp	Reed
Bennet	Hirono	Reid
Blumenthal	Johnson (SD)	Rockefeller
Booker	Kaine	Schatz
Boxer	King	Schumer
Brown	Klobuchar	Shaheen
Cantwell	Landrieu	Stabenow
Cardin	Leahy	Tester
Carper	Levin	Udall (CO)
Casey	Manchin	Udall (NM)
Coons	Markey	Walsh
Donnelly	McCaskill	Warner
Durbin	Menendez	Warren
Franken	Merkley	Whitehouse
Gillibrand	Murphy	Wyden
Hagan	Murray	
Harkin	Nelson	

## NAYS—41

Alexander	Fischer	Moran
Ayotte	Flake	Murkowski
Barrasso	Graham	Paul
Blunt	Grassley	Risch
Boozman	Hatch	Roberts
Burr	Heller	Rubio
Coats	Hoeben	Scott
Cochran	Isakson	Sessions
Collins	Johanns	Shelby
Corker	Johnson (WI)	Thune
Cornyn	Kirk	Toomey
Crapo	Lee	Vitter
Cruz	McCain	Wicker
Enzi	McConnell	

## NOT VOTING—7

Chambliss	Inhofe	Sanders
Coburn	Mikulski	
Feinstein	Portman	

The motion was agreed to.

## EXECUTIVE SESSION

# NOMINATION OF ANTONY BLINKEN TO BE DEPUTY SECRETARY OF STATE

The PRESIDENT pro tempore. The clerk will report the nomination.

The assistant bill clerk read the nomination of Antony Blinken, of New York, to be Deputy Secretary of State.

## CLOTURE MOTION

Mr. REID. Mr. President, I ask that the cloture motion at the desk be reported.

The PRESIDENT pro tempore. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant bill clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Antony Blinken, of New York, to be Deputy Secretary of State.

Harry Reid, Brian Schatz, Patrick J. Leahy, Bernard Sanders, John E. Walsh, Patty Murray, Jack Reed, Tom Udall, Sheldon Whitehouse, Amy Klobuchar, Debbie Stabenow, Christopher A. Coons, Robert Menendez, Carl Levin, Barbara Boxer, Tom Harkin, Richard J. Durbin.

Mr. REID. I now move to proceed to legislative session.

The PRESIDENT pro tempore. The question is on agreeing to the motion to proceed to legislative session.

Mr. COATS. I ask for the yeas and nays.

The PRESIDENT pro tempore. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

Mr. CRUZ. Mr. President, would the majority leader yield for a unanimous consent request?

The PRESIDENT pro tempore. The Senate is in a rollcall vote.

The assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN), the Senator from Maryland (Ms. MIKULSKI), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Georgia (Mr. CHAMBLISS), the Senator from Oklahoma (Mr. COBURN), the Senator from Oklahoma (Mr. INHOFE), and the Senator from Ohio (Mr. PORTMAN).

The PRESIDING OFFICER (Mr. KING). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 52, nays 41, as follows:

[Rollcall Vote No. 334 Ex.]

#### YEAS—52

Baldwin	Heinrich	Pryor
Begich	Heitkamp	Reed
Bennet	Hirono	Reid
Blumenthal	Johnson (SD)	Rockefeller
Booker	Kaine	Schatz
Boxer	King	Schumer
Brown	Klobuchar	Shaheen
Cantwell	Landrieu	Stabenow
Cardin	Leahy	Tester
Carper	Levin	Udall (CO)
Casey	Manchin	Udall (NM)
Coons	Markey	Walsh
Donnelly	McCaskill	Warner
Durbin	Menendez	Warren
Franken	Merkley	Whitehouse
Gillibrand	Murphy	Wyden
Hagan	Murray	
Harkin	Nelson	

#### NAYS—41

Alexander	Fischer	Moran
Ayotte	Flake	Murkowski
Barrasso	Graham	Paul
Blunt	Grassley	Risch
Boozman	Hatch	Roberts
Burr	Heller	Rubio
Coats	Hoeven	Scott
Cochran	Isakson	Sessions
Collins	Johanns	Shelby
Corker	Johnson (WI)	Thune
Cornyn	Kirk	Toomey
Crapo	Lee	Vitter
Cruz	McCain	Wicker
Enzi	McConnell	

#### NOT VOTING—7

Chambliss	Inhofe	Sanders
Coburn	Mikulski	
Feinstein	Portman	

The motion was agreed to.

### LEGISLATIVE SESSION

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, I move to proceed to executive session to consider Calendar No. 635.

The PRESIDING OFFICER. The question is on agreeing to the motion.

Mr. MCCONNELL. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN), the Senator from Maryland (Ms. MIKULSKI), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Georgia (Mr. CHAMBLISS), the Senator from Oklahoma (Mr. COBURN), the Senator from Oklahoma (Mr. INHOFE), and the Senator from Ohio (Mr. PORTMAN).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 52, nays 41, as follows:

[Rollcall Vote No. 335 Leg.]

#### YEAS—52

Baldwin	Heinrich	Pryor
Begich	Heitkamp	Reed
Bennet	Hirono	Reid
Blumenthal	Johnson (SD)	Rockefeller
Booker	Kaine	Schatz
Boxer	King	Schumer
Brown	Klobuchar	Shaheen
Cantwell	Landrieu	Stabenow
Cardin	Leahy	Tester
Carper	Levin	Udall (CO)
Casey	Manchin	Udall (NM)
Coons	Markey	Walsh
Donnelly	McCaskill	Warner
Durbin	Menendez	Warren
Franken	Merkley	Whitehouse
Gillibrand	Murphy	Wyden
Hagan	Murray	
Harkin	Nelson	

#### NAYS—41

Alexander	Fischer	Moran
Ayotte	Flake	Murkowski
Barrasso	Graham	Paul
Blunt	Grassley	Risch
Boozman	Hatch	Roberts
Burr	Heller	Rubio
Coats	Hoeven	Scott
Cochran	Isakson	Sessions
Collins	Johanns	Shelby
Corker	Johnson (WI)	Thune
Cornyn	Kirk	Toomey
Crapo	Lee	Vitter
Cruz	McCain	Wicker
Enzi	McConnell	

#### NOT VOTING—7

Chambliss	Inhofe	Sanders
Coburn	Mikulski	
Feinstein	Portman	

The motion was agreed to.

### EXECUTIVE SESSION

#### NOMINATION OF FRANK A. ROSE TO BE AN ASSISTANT SECRETARY OF STATE (VERIFICATION AND COMPLIANCE)

The PRESIDING OFFICER. The clerk will report the nomination.

The assistant legislative clerk read the nomination of Frank A. Rose, of Massachusetts, to be an Assistant Secretary of State (Verification and Compliance).

The PRESIDING OFFICER. The majority leader.

#### CLOTURE MOTION

Mr. REID. Mr. President, there is a cloture motion at the desk, and I ask that it be reported.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Frank A. Rose, of Massachusetts, to be an Assistant Secretary of State (Verification and Compliance).

Harry Reid, Robert Menendez, Patrick J. Leahy, Martin Heinrich, Jack Reed, Dianne Feinstein, Tom Udall, Benjamin L. Cardin, Bill Nelson, Barbara Boxer, Thomas R. Carper, Edward J. Markey, Jeff Merkley, Sheldon Whitehouse, Jon Tester, Richard J. Durbin, Charles E. Schumer.

Mr. REID. I now move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

Mr. WICKER. I demand the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN), the Senator from Maryland (Ms. MIKULSKI), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Georgia (Mr. CHAMBLISS), the Senator from Oklahoma (Mr. COBURN), the Senator from Oklahoma (Mr. INHOFE), and the Senator from Ohio (Mr. PORTMAN).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 52, nays 41, as follows:

[Rollcall Vote No. 336 Ex.]

#### YEAS—52

Baldwin	Heinrich	Pryor
Begich	Heitkamp	Reed
Bennet	Hirono	Reid
Blumenthal	Johnson (SD)	Rockefeller
Booker	Kaine	Schatz
Boxer	King	Schumer
Brown	Klobuchar	Shaheen
Cantwell	Landrieu	Stabenow
Cardin	Leahy	Tester
Carper	Levin	Udall (CO)
Casey	Manchin	Udall (NM)
Coons	Markey	Walsh
Donnelly	McCaskill	Warner
Durbin	Menendez	Warren
Franken	Merkley	Whitehouse
Gillibrand	Murphy	Wyden
Hagan	Murray	
Harkin	Nelson	

#### NAYS—41

Alexander	Cornyn	Hoeven
Ayotte	Crapo	Isakson
Barrasso	Cruz	Johanns
Blunt	Enzi	Johnson (WI)
Boozman	Fischer	Kirk
Burr	Flake	Lee
Coats	Graham	McCain
Cochran	Grassley	McConnell
Collins	Hatch	Moran
Corker	Heller	Murkowski



Paul	Scott	Toomey
Risch	Sessions	Vitter
Roberts	Shelby	Wicker
Rubio	Thune	

## NOT VOTING—7

Chambliss	Inhofe	Sanders
Coburn	Mikulski	
Feinstein	Portman	

The motion was agreed to.

## LEGISLATIVE SESSION

The PRESIDING OFFICER. The majority leader.

## MAKING FURTHER CONTINUING APPROPRIATIONS FOR FISCAL YEAR 2015

Mr. REID. Mr. President, if I could have everyone's attention.

I ask unanimous consent that the Senate proceed to the consideration of H.J. Res. 131, which is a short-term continuing resolution that will go until Wednesday, December 17, 2014, which the Senate received from the House and is at the desk; further, that the joint resolution be read three times and the Senate now proceed to vote on passage of the joint resolution with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Hearing none, it is so ordered.

The clerk will report the joint resolution by title.

The bill clerk read as follows:

A joint resolution (H.J. Res. 131) making further continuing appropriations for fiscal year 2015, and for other purposes.

The Senate proceeded to consider the joint resolution.

The joint resolution was ordered to a third reading and was read the third time.

The PRESIDING OFFICER. The joint resolution having been read the third time, the question is, Shall the joint resolution pass?

The joint resolution (H.J. Res. 131) was passed.

Mr. REID. I ask unanimous consent that the motion to reconsider be made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. I move to proceed to executive session to consider Calendar No. 1144.

The PRESIDING OFFICER. The question is on agreeing to the motion.

Mr. RISCH. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Alaska (Mr. BEGICH), the Senator from California (Mrs. FEINSTEIN), the Senator from Maryland (Ms. MIKULSKI), the Senator from Vermont (Mr. SANDERS), and the Senator from Michigan (Ms. STABENOW) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Georgia (Mr. CHAMBLISS), the Senator from Oklahoma (Mr. COBURN), the Senator from Oklahoma (Mr. INHOFE), and the Senator from Ohio (Mr. PORTMAN).

The PRESIDING OFFICER (Ms. LANDRIEU). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 50, nays 41, as follows:

[Rollcall Vote No. 337 Leg.]

## YEAS—50

Baldwin	Heinrich	Nelson
Bennet	Heitkamp	Pryor
Blumenthal	Hirono	Reed
Booker	Johnson (SD)	Reid
Boxer	Kaine	Rockefeller
Brown	King	Schatz
Cantwell	Klobuchar	Schumer
Cardin	Landrieu	Shaheen
Carper	Leahy	Tester
Casey	Levin	Udall (CO)
Coons	Manchin	Udall (NM)
Donnelly	Markey	
Durbin	McCaskill	Walsh
Franken	Menendez	Warner
Gillibrand	Merkley	Warren
Hagan	Murphy	Whitehouse
Harkin	Murray	Wyden

## NAYS—41

Alexander	Fischer	Moran
Ayotte	Flake	Murkowski
Barrasso	Graham	Paul
Blunt	Grassley	Risch
Boozman	Hatch	Roberts
Burr	Heller	Rubio
Coats	Hoeven	Scott
Cochran	Isakson	Sessions
Collins	Johanns	Shelby
Corker	Johnson (WI)	Thune
Cornyn	Kirk	Toomey
Crapo	Lee	Vitter
Cruz	McCain	Wicker
Enzi	McConnell	

## NOT VOTING—9

Begich	Feinstein	Portman
Chambliss	Inhofe	Sanders
Coburn	Mikulski	Stabenow

The motion was agreed to

## EXECUTIVE SESSION

## NOMINATION OF COLETTE DODSON HONORABLE TO BE A MEMBER OF THE FEDERAL ENERGY REGULATORY COMMISSION

The PRESIDING OFFICER. The clerk will report the nomination.

The assistant legislative clerk read the nomination of Colette Dodson Honorable, of Arkansas, to be a Member of the Federal Energy Regulatory Commission.

## CLOTURE MOTION

Mr. REID. Madam President, there is a cloture motion at the desk that I ask to be reported.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Colette Dodson Honorable, of Arkansas, to be a Member of the Federal Energy Regulatory Commission.

Harry Reid, Brian Schatz, Patrick J. Leahy, Bernard Sanders, John E. Walsh, Patty Murray, Jack Reed, Tom Udall, Sheldon Whitehouse, Amy Klobuchar, Debbie Stabenow, Christopher A. Coons, Robert Menendez, Carl Levin, Barbara Boxer, Tom Harkin, Richard J. Durbin.

Mr. REID. Madam President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

Mr. COATS. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN), the Senator from Maryland (Ms. MIKULSKI), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Georgia (Mr. CHAMBLISS), the Senator from Oklahoma (Mr. COBURN), the Senator from Oklahoma (Mr. INHOFE), and the Senator from Ohio (Mr. PORTMAN).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 53, nays 40, as follows:

[Rollcall Vote No. 338 Ex.]

## YEAS—53

Baldwin	Harkin	Nelson
Begich	Heinrich	Pryor
Bennet	Heitkamp	Reed
Blumenthal	Hirono	Reid
Booker	Johnson (SD)	Rockefeller
Boozman	Kaine	Schatz
Boxer	King	Schumer
Brown	Klobuchar	Shaheen
Cantwell	Landrieu	Stabenow
Cardin	Leahy	Tester
Carper	Levin	Udall (CO)
Casey	Manchin	Udall (NM)
Coons	Markey	Walsh
Donnelly	McCaskill	Warner
Durbin	Menendez	Warren
Franken	Merkley	Whitehouse
Gillibrand	Murphy	Wyden
Hagan	Murray	

## NAYS—40

Alexander	Flake	Murkowski
Ayotte	Graham	Paul
Barrasso	Grassley	Risch
Blunt	Hatch	Roberts
Burr	Heller	Rubio
Coats	Hoeven	Scott
Cochran	Isakson	Sessions
Collins	Johanns	Shelby
Corker	Johnson (WI)	Thune
Cornyn	Kirk	Toomey
Crapo	Lee	Vitter
Cruz	McCain	Wicker
Enzi	McConnell	
Fischer	Moran	

## NOT VOTING—7

Chambliss	Inhofe	Sanders
Coburn	Mikulski	
Feinstein	Portman	

The motion was agreed to.

## LEGISLATIVE SESSION

The PRESIDING OFFICER. The majority leader.

Mr. REID. Madam President, I move to proceed to executive session to consider Calendar No. 979, Daniel J.

Santos, to be a Member of the Defense Nuclear Facilities Safety Board.

The PRESIDING OFFICER. The question is on agreeing to the motion.

Ms. COLLINS. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN), the Senator from Maryland (Ms. MIKULSKI), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Georgia (Mr. CHAMBLISS), the Senator from Oklahoma (Mr. COBURN), the Senator from Oklahoma (Mr. INHOFE), and the Senator from Ohio (Mr. PORTMAN).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 52, nays 41, as follows:

[Rollcall Vote No. 339 Leg.]

#### YEAS—52

Baldwin	Heinrich	Pryor
Begich	Heitkamp	Reed
Bennet	Hirono	Reid
Blumenthal	Johnson (SD)	Rockefeller
Booker	Kaine	Schatz
Boxer	King	Schumer
Brown	Klobuchar	Shaheen
Cantwell	Landrieu	Stabenow
Cardin	Leahy	Tester
Carper	Levin	Udall (CO)
Casey	Manchin	Udall (NM)
Coons	Markey	Walsh
Donnelly	McCaskill	Warner
Durbin	Menendez	Warren
Franken	Merkley	Whitehouse
Gillibrand	Murphy	Wyden
Hagan	Murray	
Harkin	Nelson	

#### NAYS—41

Alexander	Fischer	Moran
Ayotte	Flake	Murkowski
Barrasso	Graham	Paul
Blunt	Grassley	Risch
Boozman	Hatch	Roberts
Burr	Heller	Rubio
Coats	Hoeven	Scott
Cochran	Isakson	Sessions
Collins	Johanns	Shelby
Corker	Johnson (WI)	Thune
Cornyn	Kirk	Toomey
Crapo	Lee	Vitter
Cruz	McCain	Wicker
Enzi	McConnell	

#### NOT VOTING—7

Chambliss	Inhofe	Sanders
Coburn	Mikulski	
Feinstein	Portman	

The motion was agreed to.

#### EXECUTIVE SESSION

#### NOMINATION OF DANIEL J. SANTOS TO BE A MEMBER OF THE DEFENSE NUCLEAR FACILITIES SAFETY BOARD

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Daniel J. Santos, of Virginia,

to be a Member of the Defense Nuclear Facilities Safety Board.

#### CLOTURE MOTION

Mr. REID. Madam President, there is a cloture motion at the desk that I ask to be reported.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Daniel J. Santos, of Virginia, to be a Member of the Defense Nuclear Facilities Safety Board.

Harry Reid, Carl Levin, Brian Schatz, Patrick J. Leahy, Bernard Sanders, John E. Walsh, Patty Murray, Jack Reed, Tom Udall, Sheldon Whitehouse, Amy Klobuchar, Debbie Stabenow, Christopher A. Coons, Robert Menendez, Barbara Boxer, Tom Harkin, Richard J. Durbin.

Mr. REID. I now move, Madam President, to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

Mr. MCCONNELL. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN), the Senator from Maryland (Ms. MIKULSKI), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Georgia (Mr. CHAMBLISS), the Senator from Oklahoma (Mr. COBURN), and the Senator from Oklahoma (Mr. INHOFE).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 52, nays 42, as follows:

[Rollcall Vote No. 340 Ex.]

#### YEAS—52

Baldwin	Heinrich	Pryor
Begich	Heitkamp	Reed
Bennet	Hirono	Reid
Blumenthal	Johnson (SD)	Rockefeller
Booker	Kaine	Schatz
Boxer	King	Schumer
Brown	Klobuchar	Shaheen
Cantwell	Landrieu	Stabenow
Cardin	Leahy	Tester
Carper	Levin	Udall (CO)
Casey	Manchin	Udall (NM)
Coons	Markey	Walsh
Donnelly	McCaskill	Warner
Durbin	Menendez	Warren
Franken	Merkley	Whitehouse
Gillibrand	Murphy	Wyden
Hagan	Murray	
Harkin	Nelson	

#### NAYS—42

Alexander	Boozman	Collins
Ayotte	Burr	Corker
Barrasso	Coats	Cornyn
Blunt	Cochran	Crapo

Cruz	Johanns	Risch
Enzi	Johnson (WI)	Roberts
Fischer	Kirk	Rubio
Flake	Lee	Scott
Graham	McCain	Sessions
Grassley	McConnell	Shelby
Hatch	Moran	Thune
Heller	Murkowski	Toomey
Hoeven	Paul	Vitter
Isakson	Portman	Wicker

#### NOT VOTING—6

Chambliss	Feinstein	Mikulski
Coburn	Inhofe	Sanders

The motion was agreed to.

#### LEGISLATIVE SESSION

The PRESIDING OFFICER. The majority leader.

Mr. REID. I move to proceed to executive session to consider Calendar No. 840, Estevan R. Lopez to be Commissioner of Reclamation.

The PRESIDING OFFICER. The question is on agreeing to the motion.

Mr. JOHANNIS. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) is necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Georgia (Mr. CHAMBLISS), the Senator from Oklahoma (Mr. COBURN), and the Senator from Oklahoma (Mr. INHOFE).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 54, nays 42, as follows:

[Rollcall Vote No. 341 Leg.]

#### YEAS—54

Baldwin	Heinrich	Nelson
Begich	Heitkamp	Pryor
Bennet	Hirono	Reed
Blumenthal	Johnson (SD)	Reid
Booker	Kaine	Rockefeller
Boxer	King	Sanders
Brown	Klobuchar	Schatz
Cantwell	Landrieu	Schumer
Cardin	Leahy	Shaheen
Carper	Levin	Stabenow
Casey	Manchin	Tester
Coons	Markey	Udall (CO)
Donnelly	McCaskill	Udall (NM)
Durbin	Menendez	Walsh
Franken	Merkley	Warner
Gillibrand	Mikulski	Warren
Hagan	Murphy	Whitehouse
Harkin	Murray	Wyden

#### NAYS—42

Alexander	Fischer	Moran
Ayotte	Flake	Murkowski
Barrasso	Graham	Paul
Blunt	Grassley	Portman
Boozman	Hatch	Risch
Burr	Heller	Roberts
Coats	Hoeven	Rubio
Cochran	Isakson	Scott
Collins	Johanns	Sessions
Corker	Johnson (WI)	Shelby
Cornyn	Kirk	Thune
Crapo	Lee	Toomey
Cruz	McCain	Vitter
Enzi	McConnell	Wicker

#### NOT VOTING—4

Chambliss	Feinstein
Coburn	Inhofe

The motion was agreed to.



## EXECUTIVE SESSION

## NOMINATION OF ESTEVAN R. LOPEZ TO BE COMMISSIONER OF RECLAMATION

The PRESIDING OFFICER. The clerk will report the nomination.

The assistant bill clerk read the nomination of Estevan R. Lopez, of New Mexico, to be Commissioner of Reclamation.

## CLOTURE MOTION

Mr. REID. Madam President, there is a cloture motion at the desk, and I ask that it be reported.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Estevan R. Lopez, of New Mexico, to be Commissioner of Reclamation.

Harry Reid, Patrick J. Leahy, Martin Heinrich, Jack Reed, Dianne Feinstein, Robert Menendez, Tom Udall, Benjamin L. Cardin, Bill Nelson, Barbara Boxer, Thomas R. Carper, Edward J. Markey, Jeff Merkley, Sheldon Whitehouse, Jon Tester, Richard J. Durbin, Charles E. Schumer.

Mr. REID. I now move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

Mr. COATS. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) is necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Georgia (Mr. CHAMBLISS), the Senator from Oklahoma (Mr. COBURN), and the Senator from Oklahoma (Mr. INHOFE).

The PRESIDING OFFICER (Mr. SCHATZ). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 54, nays 42, as follows:

[Rollcall Vote No. 342 Ex.]

## YEAS—54

Baldwin	Heinrich	Nelson
Begich	Heitkamp	Pryor
Bennet	Hirono	Reed
Blumenthal	Johnson (SD)	Reid
Booker	Kaine	Rockefeller
Boxer	King	Sanders
Brown	Klobuchar	Schatz
Cantwell	Landrieu	Schumer
Cardin	Leahy	Shaheen
Carper	Levin	Stabenow
Casey	Manchin	Tester
Coons	Markey	Udall (CO)
Donnelly	McCaskill	Udall (NM)
Durbin	Menendez	Walsh
Franken	Merkley	Warner
Gillibrand	Mikulski	Warren
Hagan	Murphy	Whitehouse
Harkin	Murray	Wyden

## NAYS—42

Alexander	Fischer	Moran
Ayotte	Flake	Murkowski
Barrasso	Graham	Paul
Blunt	Grassley	Portman
Boozman	Hatch	Risch
Burr	Heller	Roberts
Coats	Hoeven	Rubio
Cochran	Isakson	Scott
Collins	Johanns	Sessions
Corker	Johnson (WI)	Shelby
Cornyn	Kirk	Thune
Crapo	Lee	Toomey
Cruz	McCain	Vitter
Enzi	McConnell	Wicker

## NOT VOTING—4

Chambliss	Feinstein
Coburn	Inhofe

The motion was agreed to.

## LEGISLATIVE SESSION

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, I move to proceed to executive session to consider Calendar No. 922, Marcus Jadotte to be an Assistant Secretary of Commerce.

The PRESIDING OFFICER. The question is on agreeing to the motion.

Mr. WICKER. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER) and the Senator from California (Mrs. FEINSTEIN) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Georgia (Mr. CHAMBLISS), the Senator from Oklahoma (Mr. COBURN), and the Senator from Oklahoma (Mr. INHOFE).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 53, nays 42, as follows:

[Rollcall Vote No. 343 Leg.]

## YEAS—53

Baldwin	Heitkamp	Pryor
Begich	Hirono	Reed
Bennet	Johnson (SD)	Reid
Blumenthal	Kaine	Rockefeller
Booker	King	Sanders
Brown	Klobuchar	Schatz
Cantwell	Landrieu	Schumer
Cardin	Leahy	Shaheen
Carper	Levin	Stabenow
Casey	Manchin	Tester
Coons	Markey	Udall (CO)
Donnelly	McCaskill	Udall (NM)
Durbin	Menendez	Walsh
Franken	Merkley	Warner
Gillibrand	Mikulski	Warren
Hagan	Murphy	Whitehouse
Harkin	Murray	Wyden
Heinrich	Nelson	

## NAYS—42

Alexander	Enzi	McCain
Ayotte	Fischer	McConnell
Barrasso	Flake	Moran
Blunt	Graham	Murkowski
Boozman	Grassley	Paul
Burr	Hatch	Portman
Coats	Heller	Risch
Cochran	Hoeven	Roberts
Collins	Isakson	Rubio
Corker	Johanns	Scott
Cornyn	Johnson (WI)	
Crapo	Kirk	
Cruz	Lee	

Sessions	Thune	Vitter
Shelby	Toomey	Wicker

## NOT VOTING—5

Boxer	Coburn	Inhofe
Chambliss	Feinstein	

The motion was agreed to.

## EXECUTIVE SESSION

## NOMINATION OF MARCUS DWAYNE JADOTTE TO BE AN ASSISTANT SECRETARY OF COMMERCE

The PRESIDING OFFICER. The clerk will report the nomination.

The assistant legislative clerk read the nomination of Marcus Dwayne Jadotte, of Florida, to be an Assistant Secretary of Commerce.

## CLOTURE MOTION

Mr. REID. Mr. President, there is a cloture motion at the desk, and I ask the Chair to report it.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Marcus Dwayne Jadotte, of Florida, to be an Assistant Secretary of Commerce.

Harry Reid, Patrick J. Leahy, Martin Heinrich, Jack Reed, Dianne Feinstein, Robert Menendez, Tom Udall, Benjamin L. Cardin, Bill Nelson, Barbara Boxer, Thomas R. Carper, Edward J. Markey, Jeff Merkley, Sheldon Whitehouse, Jon Tester, Richard J. Durbin, Charles E. Schumer.

Mr. REID. I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

Mr. WICKER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) is necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Georgia (Mr. CHAMBLISS), the Senator from Oklahoma (Mr. COBURN), and the Senator from Oklahoma (Mr. INHOFE).

The PRESIDING OFFICER (Mr. DONNELLY). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 54, nays 42, as follows:

[Rollcall Vote No. 344 Ex.]

## YEAS—54

Baldwin	Boxer	Casey
Begich	Brown	Coons
Bennet	Cantwell	Donnelly
Blumenthal	Cardin	Durbin
Booker	Carper	Franken

Gillibrand	Manchin	Sanders
Hagan	Markey	Schatz
Harkin	McCaskill	Schumer
Heinrich	Menendez	Shaheen
Heitkamp	Merkley	Stabenow
Hirono	Mikulski	Tester
Johnson (SD)	Murphy	Udall (CO)
Kaine	Murray	Udall (NM)
King	Nelson	Walsh
Klobuchar	Pryor	Warner
Landrieu	Reed	Warren
Leahy	Reid	Whitehouse
Levin	Rockefeller	Wyden

## NAYS—42

Alexander	Fischer	Moran
Ayotte	Flake	Murkowski
Barrasso	Graham	Paul
Blunt	Grassley	Portman
Boozman	Hatch	Risch
Burr	Heller	Roberts
Coats	Hoeven	Rubio
Cochran	Isakson	Scott
Collins	Johanns	Sessions
Corker	Johnson (WI)	Shelby
Cornyn	Kirk	Thune
Crapo	Lee	Toomey
Cruz	McCain	Vitter
Enzi	McConnell	Wicker

## NOT VOTING—4

Chambliss	Feinstein
Coburn	Inhofe

The motion was agreed to.

## LEGISLATIVE SESSION

The PRESIDING OFFICER. The majority leader.

Mr. REID. I move to proceed to executive session to consider Calendar No. 901, Jonathan Nicholas Stivers to be an Assistant Administrator of the United States Agency for International Development.

The PRESIDING OFFICER. The question is on agreeing to the motion. Mr. VITTER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) is necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Georgia (Mr. CHAMBLISS), the Senator from Oklahoma (Mr. COBURN), and the Senator from Oklahoma (Mr. INHOFE).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 54, nays 42, as follows:

[Rollcall Vote No. 345 Leg.]

## YEAS—54

Baldwin	Hagan	Merkley
Begich	Harkin	Mikulski
Bennet	Heinrich	Murphy
Blumenthal	Heitkamp	Murray
Booker	Hirono	Nelson
Boxer	Johnson (SD)	Pryor
Brown	Kaine	Reed
Cantwell	King	Reid
Cardin	Klobuchar	Rockefeller
Carper	Landrieu	Sanders
Casey	Leahy	Schatz
Coons	Levin	Schumer
Donnelly	Manchin	Shaheen
Durbin	Markey	Stabenow
Franken	McCaskill	Tester
Gillibrand	Menendez	Udall (CO)

Udall (NM)	Warner	Whitehouse
Walsh	Warren	Wyden

## NAYS—42

Alexander	Fischer	Moran
Ayotte	Flake	Murkowski
Barrasso	Graham	Paul
Blunt	Grassley	Portman
Boozman	Hatch	Risch
Burr	Heller	Roberts
Coats	Hoeven	Rubio
Cochran	Isakson	Scott
Collins	Johanns	Sessions
Corker	Johnson (WI)	Shelby
Cornyn	Kirk	Thune
Crapo	Lee	Toomey
Cruz	McCain	Vitter
Enzi	McConnell	Wicker

## NOT VOTING—4

Chambliss	Feinstein
Coburn	Inhofe

The motion was agreed to.

## EXECUTIVE SESSION

### NOMINATION OF JONATHAN NICHOLAS STIVERS TO BE AN ASSISTANT ADMINISTRATOR OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

The PRESIDING OFFICER. The clerk will report the nomination.

The assistant legislative clerk read the nomination of Jonathan Nicholas Stivers, of the District of Columbia, to be an Assistant Administrator of the United States Agency for International Development.

## CLOTURE MOTION

Mr. REID. Mr. President, there is a cloture motion at the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Jonathan Nicholas Stivers, of the District of Columbia, to be an Assistant Administrator of the United States Agency for International Development.

Harry Reid, Robert Menendez, Patrick J. Leahy, Martin Heinrich, Jack Reed, Dianne Feinstein, Tom Udall, Benjamin L. Cardin, Bill Nelson, Barbara Boxer, Thomas R. Carper, Edward J. Markey, Jeff Merkley, Sheldon Whitehouse, Jon Tester, Richard J. Durbin, Charles E. Schumer.

Mr. REID. I now move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

Mr. ROBERTS. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) is necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator

from Georgia (Mr. CHAMBLISS), the Senator from Oklahoma (Mr. COBURN), and the Senator from Oklahoma (Mr. INHOFE).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 54, nays 42, as follows:

[Rollcall Vote No. 346 Ex.]

## YEAS—54

Baldwin	Heinrich	Nelson
Begich	Heitkamp	Pryor
Bennet	Hirono	Reed
Blumenthal	Johnson (SD)	Reid
Booker	Kaine	Rockefeller
Boxer	King	Sanders
Brown	Klobuchar	Schatz
Cantwell	Landrieu	Schumer
Cardin	Leahy	Shaheen
Carper	Levin	Stabenow
Casey	Manchin	Tester
Coons	Markey	Udall (CO)
Donnelly	McCaskill	Udall (NM)
Durbin	Menendez	Walsh
Franken	Merkley	Warner
Gillibrand	Mikulski	Warren
Hagan	Murphy	Whitehouse
Harkin	Murray	Wyden

## NAYS—42

Alexander	Fischer	Moran
Ayotte	Flake	Murkowski
Barrasso	Graham	Paul
Blunt	Grassley	Portman
Boozman	Hatch	Risch
Burr	Heller	Roberts
Coats	Hoeven	Rubio
Cochran	Isakson	Scott
Collins	Johanns	Sessions
Corker	Johnson (WI)	Shelby
Cornyn	Kirk	Thune
Crapo	Lee	Toomey
Cruz	McCain	Vitter
Enzi	McConnell	Wicker

## NOT VOTING—4

Chambliss	Feinstein
Coburn	Inhofe

The motion was agreed to.

### UNANIMOUS CONSENT AGREEMENT—H.R. 83

Mr. REID. I ask unanimous consent that following the filing of cloture on executive calendar nominations—the list of nominations is at the desk, the last of which is the cloture motion on the Biggs nomination, Executive Calendar No. 1147—the Senate resume legislative session and the Senate proceed to vote on the motion to invoke cloture on the motion to concur in the House amendment to the Senate amendment to H.R. 83; that if cloture is invoked, there be 2 minutes postcloture debate time remaining on the motion to concur; that upon the use or yielding back of time, the motion to concur with an amendment be withdrawn and the Senate then immediately proceed to vote on the motion to concur.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. There will be some votes tonight. Everybody be patient. I appreciate very much everyone's patience. As I told some Senators a little while ago in both parties, what we have gone through over the last day or so I think is going to help us next year. I really mean that. I certainly hope so.

I now move to proceed to executive session to consider Calendar No. 735.

The PRESIDING OFFICER. The question is on agreeing to the motion.

Mr. RUBIO. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) and the Senator from Michigan (Ms. STABENOW) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Georgia (Mr. CHAMBLISS), the Senator from Oklahoma (Mr. COBURN), and the Senator from Oklahoma (Mr. INHOFE).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 53, nays 42, as follows:

[Rollcall Vote No. 347 Leg.]

#### YEAS—53

Baldwin	Heinrich	Nelson
Begich	Heitkamp	Pryor
Bennet	Hirono	Reed
Blumenthal	Johnson (SD)	Reid
Booker	Kaine	Rockefeller
Boxer	King	Sanders
Brown	Klobuchar	Schatz
Cantwell	Landrieu	Schumer
Cardin	Leahy	Shaheen
Carper	Levin	Tester
Casey	Manchin	Udall (CO)
Coons	Markey	Udall (NM)
Donnelly	McCaskill	Walsh
Durbin	Menendez	Warner
Franken	Merkley	Warren
Gillibrand	Mikulski	Whitehouse
Hagan	Murphy	Wyden
Harkin	Murray	

#### NAYS—42

Alexander	Fischer	Moran
Ayotte	Flake	Murkowski
Barrasso	Graham	Paul
Blunt	Grassley	Portman
Boozman	Hatch	Risch
Burr	Heller	Roberts
Coats	Hoeven	Rubio
Cochran	Isakson	Scott
Collins	Johanns	Sessions
Corker	Johnson (WI)	Shelby
Cornyn	Kirk	Thune
Crapo	Lee	Toomey
Cruz	McCain	Vitter
Enzi	McConnell	Wicker

#### NOT VOTING—5

Chambliss	Feinstein	Stabenow
Coburn	Inhofe	

The motion was agreed to.

#### EXECUTIVE SESSION

#### NOMINATION OF JOHN CHARLES CRUDEN TO BE AN ASSISTANT ATTORNEY GENERAL

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of John Charles Cruden, of Virginia, to be an Assistant Attorney General.

#### CLOTURE MOTION

Mr. REID. Mr. President, there is a cloture motion at the desk.

The PRESIDING OFFICER. The cloture motion having been presented

under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of John Charles Cruden, of Virginia, to be an Assistant Attorney General.

Harry Reid, Patrick J. Leahy, Martin Heinrich, Jack Reed, Dianne Feinstein, Robert Menendez, Tom Udall, Benjamin L. Cardin, Bill Nelson, Barbara Boxer, Thomas R. Carper, Edward J. Markey, Jeff Merkley, Sheldon Whitehouse, Jon Tester, Richard J. Durbin, Charles E. Schumer.

Mr. REID. Mr. President, I now move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

Mr. BARRASSO. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) is necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Georgia (Mr. CHAMBLISS), the Senator from Oklahoma (Mr. COBURN), and the Senator from Oklahoma (Mr. INHOFE).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 54, nays 42, as follows:

[Rollcall Vote No. 348 Ex.]

#### YEAS—54

Baldwin	Heinrich	Nelson
Begich	Heitkamp	Pryor
Bennet	Hirono	Reed
Blumenthal	Johnson (SD)	Reid
Booker	Kaine	Rockefeller
Boxer	King	Sanders
Brown	Klobuchar	Schatz
Cantwell	Landrieu	Schumer
Cardin	Leahy	Shaheen
Carper	Levin	Stabenow
Casey	Manchin	Tester
Coons	Markey	Udall (CO)
Donnelly	McCaskill	Udall (NM)
Durbin	Menendez	Walsh
Franken	Merkley	Warner
Gillibrand	Mikulski	Warren
Hagan	Murphy	Whitehouse
Harkin	Murray	Wyden

#### NAYS—42

Alexander	Fischer	Moran
Ayotte	Flake	Murkowski
Barrasso	Graham	Paul
Blunt	Grassley	Portman
Boozman	Hatch	Risch
Burr	Heller	Roberts
Coats	Hoeven	Rubio
Cochran	Isakson	Scott
Collins	Johanns	Sessions
Corker	Johnson (WI)	Shelby
Cornyn	Kirk	Thune
Crapo	Lee	Toomey
Cruz	McCain	Vitter
Enzi	McConnell	Wicker

#### NOT VOTING—4

Chambliss	Feinstein
Coburn	Inhofe

The motion was agreed to.

#### LEGISLATIVE SESSION

Mr. REID. I move to proceed to executive session to consider Calendar No.

553, Christopher Smith, of Texas, to be an Assistant Secretary of Energy.

The PRESIDING OFFICER. The question is on agreeing to the motion to proceed.

Mr. COATS. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) is necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Georgia (Mr. CHAMBLISS), the Senator from Oklahoma (Mr. COBURN), and the Senator from Oklahoma (Mr. INHOFE).

The PRESIDING OFFICER (Ms. WARREN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 54, nays 42, as follows:

[Rollcall Vote No. 349 Leg.]

#### YEAS—54

Baldwin	Heinrich	Nelson
Begich	Heitkamp	Pryor
Bennet	Hirono	Reed
Blumenthal	Johnson (SD)	Reid
Booker	Kaine	Rockefeller
Boxer	King	Sanders
Brown	Klobuchar	Schatz
Cantwell	Landrieu	Schumer
Cardin	Leahy	Shaheen
Carper	Levin	Stabenow
Casey	Manchin	Tester
Coons	Markey	Udall (CO)
Donnelly	McCaskill	Udall (NM)
Durbin	Menendez	Walsh
Franken	Merkley	Warner
Gillibrand	Mikulski	Warren
Hagan	Murphy	Whitehouse
Harkin	Murray	Wyden

#### NAYS—42

Alexander	Fischer	Moran
Ayotte	Flake	Murkowski
Barrasso	Graham	Paul
Blunt	Grassley	Portman
Boozman	Hatch	Risch
Burr	Heller	Roberts
Coats	Hoeven	Rubio
Cochran	Isakson	Scott
Collins	Johanns	Sessions
Corker	Johnson (WI)	Shelby
Cornyn	Kirk	Thune
Crapo	Lee	Toomey
Cruz	McCain	Vitter
Enzi	McConnell	Wicker

#### NOT VOTING—4

Chambliss	Feinstein
Coburn	Inhofe

The motion was agreed to.

#### EXECUTIVE SESSION

#### NOMINATION OF CHRISTOPHER SMITH TO BE AN ASSISTANT SECRETARY OF ENERGY (FOSSIL ENERGY)

The PRESIDING OFFICER. The clerk will report the nomination.

The assistant bill clerk read the nomination of Christopher Smith, of Texas, to be an Assistant Secretary of Energy (Fossil Energy).

#### CLOTURE MOTION

Mr. REID. Madam President, there is a cloture motion at the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Christopher Smith, of Texas, to be an Assistant Secretary of Energy (Fossil Energy).

Harry Reid, Mary Landrieu, Richard J. Durbin, Al Franken, Mark L. Pryor, Benjamin L. Cardin, Sheldon Whitehouse, Christopher Murphy, Tim Kaine, Charles E. Schumer, Michael F. Bennet, Ron Wyden, Patty Murray, Debbie Stabenow, Carl Levin, Barbara Boxer, Tom Udall.

Mr. REID. I now move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

Mr. RISCH. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) and the Senator from Michigan (Ms. STABENOW) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Georgia (Mr. CHAMBLISS), the Senator from Oklahoma (Mr. COBURN), and the Senator from Oklahoma (Mr. INHOFE).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 53, nays 42, as follows:

[Rollcall Vote No. 350 Ex.]

## YEAS—53

Baldwin	Heinrich	Nelson
Begich	Heitkamp	Pryor
Bennet	Hirono	Reid
Blumenthal	Johnson (SD)	Rockefeller
Booker	Kaine	Sanders
Boxer	King	Schatz
Brown	Klobuchar	Schumer
Cantwell	Landrieu	Shaheen
Cardin	Leahy	Stabenow
Carper	Levin	Tester
Casey	Manchin	Udall (CO)
Coons	Markey	Udall (NM)
Donnelly	McCaskey	Walsh
Durbin	Menendez	Warner
Franken	Merkley	Warren
Gillibrand	Mikulski	Whitehouse
Hagan	Murphy	Wyden
Harkin	Murray	

## NAYS—42

Alexander	Fischer	Moran
Ayotte	Flake	Murkowski
Barrasso	Graham	Paul
Blunt	Grassley	Portman
Boozman	Hatch	Risch
Burr	Heller	Roberts
Coats	Hoeven	Rubio
Cochran	Isakson	Scott
Collins	Johanns	Sessions
Corker	Johnson (WI)	Shelby
Cornyn	Kirk	Thune
Crapo	Lee	Toomey
Cruz	McCain	Vitter
Enzi	McConnell	Wicker

## NOT VOTING—5

Chambliss	Feinstein	Stabenow
Coburn	Inhofe	

The motion was agreed to.

## LEGISLATIVE SESSION

The PRESIDING OFFICER. The majority leader.

Mr. REID. I move to proceed to executive session to consider Calendar No. 1041, the nomination of Stephen Bough of Missouri.

The PRESIDING OFFICER. The question is on agreeing to the motion.

Mr. TOOMEY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) is necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Georgia (Mr. CHAMBLISS), the Senator from Oklahoma (Mr. COBURN), and the Senator from Oklahoma (Mr. INHOFE).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 54, nays 42, as follows:

[Rollcall Vote No. 351 Leg.]

## YEAS—54

Baldwin	Heinrich	Nelson
Begich	Heitkamp	Pryor
Bennet	Hirono	Reed
Blumenthal	Johnson (SD)	Reid
Booker	Kaine	Rockefeller
Boxer	King	Sanders
Brown	Klobuchar	Schatz
Cantwell	Landrieu	Schumer
Cardin	Leahy	Shaheen
Carper	Levin	Stabenow
Casey	Manchin	Tester
Coons	Markey	Udall (CO)
Donnelly	McCaskey	Udall (NM)
Durbin	Menendez	Walsh
Franken	Merkley	Warner
Gillibrand	Mikulski	Warren
Hagan	Murphy	Whitehouse
Harkin	Murray	Wyden

## NAYS—42

Alexander	Fischer	Moran
Ayotte	Flake	Murkowski
Barrasso	Graham	Paul
Blunt	Grassley	Portman
Boozman	Hatch	Risch
Burr	Heller	Roberts
Coats	Hoeven	Rubio
Cochran	Isakson	Scott
Collins	Johanns	Sessions
Corker	Johnson (WI)	Shelby
Cornyn	Kirk	Thune
Crapo	Lee	Toomey
Cruz	McCain	Vitter
Enzi	McConnell	Wicker

## NOT VOTING—4

Chambliss	Feinstein
Coburn	Inhofe

The motion was agreed to.

## EXECUTIVE SESSION

## NOMINATION OF STEPHEN R. BOUGH TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF MISSOURI

The PRESIDING OFFICER. The clerk will report the nomination.

The assistant legislative clerk read the nomination of Stephen R. Bough, of Missouri, to be United States District Judge for the Western District of Missouri.

## CLOTURE MOTION

Mr. REID. There is a cloture motion at the desk, and I ask that it be reported.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Stephen R. Bough, of Missouri, to be United States District Judge for the Western District of Missouri.

Harry Reid, Patrick J. Leahy, Christopher A. Coons, Dianne Feinstein, Richard J. Durbin, Richard Blumenthal, Brian Schatz, Debbie Stabenow, Michael F. Bennet, Jeff Merkley, Patty Murray, Barbara Boxer, Christopher Murphy, Edward J. Markey, Al Franken, Tom Harkin, Sheldon Whitehouse.

Mr. REID. Madam President, I ask unanimous consent that Senator Grassley be recognized for 5 minutes for debate only.

The PRESIDING OFFICER. Without objection, it is so ordered.

The senior Senator from Iowa.

Mr. GRASSLEY. Madam President, I rise to correct the Record on the claim that we typically confirm judges during a lameduck session. However, we do confirm judges during a lameduck if those judges were reported to the floor before the election. What we typically don't do is report judges out of committee during a lameduck and then also confirm them that same year, and that is what the majority is attempting to do here, and, of course, I object.

We need to follow precedent on these nominees. I will use 12 years as an example to illustrate what really happened.

In 2002, 20 judges were confirmed during the lameduck, but 18 of those judges had been reported out of committee before the midterm election. Only two of those judges were reported during the lameduck, and that was because these two judges waited for more than a year for a hearing.

In 2004, four judges were confirmed during the lameduck session, but none were reported out during that lameduck session.

In 2006, one judge was confirmed, but again, that judge was not reported out of committee during the lameduck session.

In 2008, there were no confirmations in the lameduck session.

In 2010, again, no judges were confirmed, but that year 15 judges were reported out of committee during the lameduck and every one of those 15 judges was returned to the White House.

Finally, in 2012, no judges were confirmed. That year, again, five judges

were reported out of committee during the lameduck, but all five were returned to the White House. That is the raw data.

The data confirms that since 2002, with only two exceptions for special circumstances, no judges have been reported out and confirmed during the lameduck session. The reason is simple. It gives our newly elected Senators the opportunity to have their voices heard, and that is what this is all about. That is the reason the judicial nominees, which are lifetime appointments, are typically returned to the President if they come out of committee during a lameduck session. It gives the new Members an opportunity to have their voices heard.

I am raising this objection today, although I know we are going to proceed, to protect the prerogatives of newly elected Members. Frankly, I am disappointed that the Members are not willing to stand up and protect those rights and prerogatives. I believe I have a pretty good reputation for working across the aisle on a lot of issues, and I expect that somebody would realize that next year these people would get a fair hearing just as they did before they were reported out of committee.

I yield the floor.

#### LEGISLATIVE SESSION

Mr. REID. I now move to proceed to legislative session.

The PRESIDENT pro tempore. The question is on agreeing to the motion.

The motion was agreed to.

#### EXECUTIVE SESSION

NOMINATION OF JORGE LUIS ALONSO TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF ILLINOIS

Mr. REID. Mr. President, I move to proceed to executive session to consider Calendar No. 1070.

The PRESIDENT pro tempore. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDENT pro tempore. The clerk will report the nomination.

The assistant legislative clerk read the nomination of Jorge Luis Alonso, of Illinois, to be United States District Judge for the Northern District of Illinois.

#### CLOTURE MOTION

Mr. REID. There is a cloture motion at the desk, and I ask that it be reported.

The PRESIDENT pro tempore. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move

to bring to a close debate on the nomination of Jorge Luis Alonso, of Illinois, to be United States District Judge for the Northern District of Illinois.

Harry Reid, Patrick J. Leahy, Christopher A. Coons, Dianne Feinstein, Richard J. Durbin, Richard Blumenthal, Brian Schatz, Debbie Stabenow, Michael F. Bennet, Jeff Merkley, Patty Murray, Barbara Boxer, Christopher Murphy, Edward J. Markey, Al Franken, Tom Harkin, Sheldon Whitehouse.

#### LEGISLATIVE SESSION

Mr. REID. I now move to proceed to legislative session.

The PRESIDENT pro tempore. The question is on agreeing to the motion.

The motion was agreed to.

#### EXECUTIVE SESSION

NOMINATION OF HAYWOOD STIRLING GILLIAM, JR., TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF CALIFORNIA

Mr. REID. I now move to proceed to executive session to consider Calendar No. 1071.

The PRESIDENT pro tempore. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDENT pro tempore. The clerk will report the nomination.

The assistant legislative clerk read the nomination of Haywood Stirling Gilliam, Jr., of California, to be United States District Judge for the Northern District of California.

#### CLOTURE MOTION

Mr. REID. Mr. President, there is a cloture motion at the desk that I ask to be reported.

The PRESIDENT pro tempore. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Haywood Stirling Gilliam, Jr., of California, to be United States District Judge for the Northern District of California.

Harry Reid, Patrick J. Leahy, Christopher A. Coons, Dianne Feinstein, Richard J. Durbin, Richard Blumenthal, Brian Schatz, Debbie Stabenow, Michael F. Bennet, Jeff Merkley, Patty Murray, Barbara Boxer, Christopher Murphy, Edward J. Markey, Al Franken, Tom Harkin, Sheldon Whitehouse.

#### LEGISLATIVE SESSION

Mr. REID. I now move to proceed to legislative session.

The PRESIDENT pro tempore. The question is on agreeing to the motion.

The motion was agreed to.

#### EXECUTIVE SESSION

NOMINATION OF AMIT PRIYAVADAN MEHTA TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF COLUMBIA

Mr. REID. Mr. President, I move to proceed to executive session to consider Calendar No. 1072.

The PRESIDENT pro tempore. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDENT pro tempore. The clerk will report the nomination.

The assistant legislative clerk read the nomination of Amit Priyavadan Mehta, of the District of Columbia, to be United States District Judge for the District of Columbia.

#### CLOTURE MOTION

Mr. REID. I ask that the cloture motion, which is at the desk, be reported.

The PRESIDENT pro tempore. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Amit Priyavadan Mehta, of the District of Columbia, to be United States District Judge for the District of Columbia.

Harry Reid, Patrick J. Leahy, Christopher A. Coons, Dianne Feinstein, Richard J. Durbin, Richard Blumenthal, Brian Schatz, Debbie Stabenow, Michael F. Bennet, Jeff Merkley, Patty Murray, Barbara Boxer, Christopher Murphy, Edward J. Markey, Al Franken, Tom Harkin, Sheldon Whitehouse.

#### LEGISLATIVE SESSION

Mr. REID. I now move to proceed to legislative session.

The PRESIDENT pro tempore. The question is on agreeing to the motion.

The motion was agreed to.

#### EXECUTIVE SESSION

NOMINATION OF ALLISON DALE BURROUGHS TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF MASSACHUSETTS

Mr. REID. I now move to proceed to executive session to consider Calendar No. 1073.

The PRESIDENT pro tempore. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDENT pro tempore. The clerk will report the nomination.

The assistant legislative clerk read the nomination of Allison Dale Burroughs, of Massachusetts, to be United States District Judge for the District of Massachusetts.

#### CLOTURE MOTION

Mr. REID. There is a cloture motion at the desk.

The PRESIDENT pro tempore. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant bill clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Allison Dale Burroughs, of Massachusetts, to be United States District Judge for the District of Massachusetts.

Harry Reid, Patrick J. Leahy, Christopher A. Coons, Dianne Feinstein, Richard J. Durbin, Richard Blumenthal, Brian Schatz, Debbie Stabenow, Michael F. Bennet, Jeff Merkley, Patty Murray, Barbara Boxer, Christopher Murphy, Edward J. Markey, Al Franken, Tom Harkin, Sheldon Whitehouse.

## LEGISLATIVE SESSION

Mr. REID. I now move to proceed to legislative session.

The PRESIDENT pro tempore. The question is on agreeing to the motion. The motion was agreed to.

## EXECUTIVE SESSION

NOMINATION OF JOHN ROBERT BLAKEY TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF ILLINOIS

Mr. REID. I now move to proceed to executive session to consider Calendar No. 1075.

The PRESIDENT pro tempore. The question is on agreeing to the motion. The motion was agreed to.

The clerk will report the nomination. The assistant legislative clerk read the nomination of John Robert Blakey, of Illinois, to be United States District Judge for the Northern District of Illinois.

## CLOTURE MOTION

Mr. REID. There is a cloture motion at the desk.

The PRESIDENT pro tempore. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of John Robert Blakey, of Illinois, to be United States District Judge for the Northern District of Illinois.

Harry Reid, Patrick J. Leahy, Christopher A. Coons, Dianne Feinstein, Richard J. Durbin, Richard Blumenthal, Brian Schatz, Debbie Stabenow, Michael F. Bennet, Jeff Merkley, Patty Murray, Barbara Boxer, Christopher Murphy, Edward J. Markey, Al Franken, Tom Harkin, Sheldon Whitehouse.

## LEGISLATIVE SESSION

Mr. REID. I now move to proceed to legislative session.

The PRESIDENT pro tempore. The question is on agreeing to the motion. The motion was agreed to.

## EXECUTIVE SESSION

NOMINATION OF AMOS L. MAZZANT, III, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF TEXAS

Mr. REID. Mr. President, I now move to proceed to executive session to consider Calendar No. 1076.

The PRESIDENT pro tempore. The question is on agreeing to the motion. The motion was agreed to.

The clerk will report the nomination. The assistant legislative clerk read the nomination of Amos L. Mazzant, III, of Texas, to be United States District Judge for the Eastern District of Texas.

## CLOTURE MOTION

Mr. REID. There is a cloture motion at the desk.

The PRESIDENT pro tempore. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Amos L. Mazzant, III, of Texas, to be United States District Judge for the Eastern District of Texas.

Harry Reid, Patrick J. Leahy, Christopher A. Coons, Dianne Feinstein, Richard J. Durbin, Richard Blumenthal, Brian Schatz, Debbie Stabenow, Michael F. Bennet, Jeff Merkley, Patty Murray, Barbara Boxer, Christopher Murphy, Edward J. Markey, Al Franken, Tom Harkin, Sheldon Whitehouse.

## LEGISLATIVE SESSION

Mr. REID. I now move to proceed to legislative session.

The PRESIDENT pro tempore. The question is on agreeing to the motion. The motion was agreed to.

## EXECUTIVE SESSION

NOMINATION OF ROBERT LEE PITMAN TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF TEXAS

Mr. REID. I move to proceed to executive session to consider Calendar No. 1077.

The PRESIDENT pro tempore. The question is on agreeing to the motion. The motion was agreed to.

The clerk will report the nomination.

The assistant legislative clerk read the nomination of Robert Lee Pitman, of Texas, to be United States District Judge for the Western District of Texas.

## CLOTURE MOTION

Mr. REID. There is a cloture motion at the desk.

The PRESIDENT pro tempore. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Robert Lee Pitman, of Texas, to be United States District Judge for the Western District of Texas.

Harry Reid, Patrick J. Leahy, Christopher A. Coons, Dianne Feinstein, Richard J. Durbin, Richard Blumenthal, Brian Schatz, Debbie Stabenow, Michael F. Bennet, Jeff Merkley, Patty Murray, Barbara Boxer, Christopher Murphy, Edward J. Markey, Al Franken, Tom Harkin, Sheldon Whitehouse.

## LEGISLATIVE SESSION

Mr. REID. I move to proceed to legislative session.

The PRESIDENT pro tempore. The question is on agreeing to the motion. The motion was agreed to.

## EXECUTIVE SESSION

NOMINATION OF ROBERT WILLIAM SCHROEDER III, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF TEXAS

Mr. REID. I move to proceed to executive session to consider Calendar No. 1078.

The PRESIDENT pro tempore. The question is on agreeing to the motion. The motion was agreed to.

The clerk will report the nomination.

The assistant legislative clerk read the nomination of Robert William Schroeder III, of Texas, to be United States District Judge for the Eastern District of Texas.

## CLOTURE MOTION

Mr. REID. I have a cloture motion at the desk.

The PRESIDENT pro tempore. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Robert William Schroeder III, of Texas, to be United States District Judge for the Eastern District of Texas.

Harry Reid, Patrick J. Leahy, Christopher A. Coons, Dianne Feinstein, Richard J. Durbin, Richard Blumenthal, Brian Schatz, Debbie Stabenow, Michael F. Bennet, Jeff Merkley, Patty Murray, Barbara Boxer, Christopher Murphy, Edward J. Markey, Al Franken, Tom Harkin, Sheldon Whitehouse.



## LEGISLATIVE SESSION

Mr. REID. I now move to proceed to legislative session.

The PRESIDENT pro tempore. The question is on agreeing to the motion.

The motion was agreed to.

## EXECUTIVE SESSION

# NOMINATION OF JOAN MARIE AZRACK TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF NEW YORK

Mr. REID. I move to proceed to executive session to consider Calendar No. 1145.

The PRESIDENT pro tempore. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDENT pro tempore. The clerk will report the nomination.

The assistant legislative clerk read the nomination of Joan Marie Azrack, of New York, to be United States District Judge for the Eastern District of New York.

## CLOTURE MOTION

Mr. REID. I have a cloture motion at the desk.

The PRESIDENT pro tempore. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Joan Marie Azrack, of New York, to be United States District Judge for the Eastern District of New York.

Harry Reid, Patrick J. Leahy, Benjamin L. Cardin, Tom Harkin, Jeff Merkley, Mazie Hirono, Patty Murray, Brian Schatz, Sheldon Whitehouse, Charles E. Schumer, Angus S. King, Jr., Amy Klobuchar, Bill Nelson, Christopher A. Coons, Mark Begich, Christopher Murphy, Barbara Boxer.

## LEGISLATIVE SESSION

Mr. REID. I now move to proceed to legislative session.

The PRESIDENT pro tempore. The question is on agreeing to the motion.

The motion was agreed to.

## EXECUTIVE SESSION

# NOMINATION OF ELIZABETH K. DILLON TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF VIRGINIA

Mr. REID. Mr. President, I now move to proceed to executive session to consider Calendar No. 1146.

The PRESIDENT pro tempore. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDENT pro tempore. The clerk will report the nomination.

The assistant legislative clerk read the nomination of Elizabeth K. Dillon,

of Virginia, to be United States District Judge for the Western District of Virginia.

## CLOTURE MOTION

Mr. REID. I have a cloture motion at the desk.

The PRESIDENT pro tempore. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Elizabeth K. Dillon, of Virginia, to be United States District Judge for the Western District of Virginia.

Harry Reid, Patrick J. Leahy, Benjamin L. Cardin, Tom Harkin, Jeff Merkley, Mazie K. Hirono, Patty Murray, Brian Schatz, Sheldon Whitehouse, Angus S. King, Jr., Charles E. Schumer, Amy Klobuchar, Bill Nelson, Christopher A. Coons, Mark Begich, Christopher Murphy, Barbara Boxer.

## LEGISLATIVE SESSION

Mr. REID. I move to proceed to legislative session.

The PRESIDENT pro tempore. The question is on agreeing to the motion.

The motion was agreed to.

## EXECUTIVE SESSION

# NOMINATION OF LORETTA COPELAND BIGGS TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

Mr. REID. I now move to proceed to executive session to consider Calendar No. 1147.

The PRESIDENT pro tempore. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDENT pro tempore. The clerk will report the nomination.

The assistant legislative clerk read the nomination of Loretta Copeland Biggs, of North Carolina, to be United States District Judge for the Middle District of North Carolina.

## CLOTURE MOTION

Mr. REID. There is a cloture motion at the desk.

The PRESIDENT pro tempore. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Loretta Copeland Biggs, of North Carolina, to be United States District Judge for the Middle District of North Carolina.

Harry Reid, Patrick J. Leahy, Benjamin L. Cardin, Tom Harkin, Jeff Merkley, Mazie K. Hirono, Patty Murray, Brian Schatz, Sheldon Whitehouse, Angus S. King, Jr., Charles E. Schumer, Amy Klobuchar, Bill Nelson, Christopher A.

Coons, Mark Begich, Christopher Murphy, Barbara Boxer.

## LEGISLATIVE SESSION

Mr. REID. I now move to proceed to legislative session.

The PRESIDENT pro tempore. The question is on agreeing to the motion.

The motion was agreed to.

# INSULAR AREAS AND FREELY ASSOCIATED STATES ENERGY DEVELOPMENT—Continued

The PRESIDENT pro tempore. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The bill clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to concur in the House amendment to the Senate amendment to H.R. 83.

Harry Reid, Barbara A. Mikulski, Brian Schatz, Benjamin L. Cardin, Martin Heinrich, John E. Walsh, Richard J. Durbin, Thomas R. Carper, Patty Murray, Tim Johnson, Angus S. King, Jr., Mark R. Warner, Tom Udall, Dianne Feinstein, Bill Nelson, Mark L. Pryor, Tammy Baldwin.

The PRESIDENT pro tempore. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to concur in the House amendment to the Senate amendment to H.R. 83 shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) is necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Georgia (Mr. CHAMBLISS), the Senator from Oklahoma (Mr. COBURN), and the Senator from Oklahoma (Mr. INHOFE).

The PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 77, nays 19, as follows:

[Rollcall Vote No. 352 Leg.]

## YEAS—77

Alexander	Cochran	Heitkamp
Ayotte	Collins	Hirono
Baldwin	Coons	Hoeben
Barrasso	Corker	Isakson
Begich	Cornyn	Johanns
Bennet	Donnelly	Johnson (SD)
Blumenthal	Durbin	Johnson (WI)
Blunt	Enzi	Kaine
Booker	Fischer	King
Boozman	Flake	Kirk
Boxer	Gillibrand	Klobuchar
Burr	Graham	Landrieu
Cantwell	Grassley	Leahy
Cardin	Hagan	Levin
Carper	Harkin	Markey
Casey	Hatch	McCain
Coats	Heinrich	McConnell

Menendez	Reid	Toomey
Merkley	Roberts	Udall (CO)
Mikulski	Rockefeller	Udall (NM)
Murkowski	Schatz	Walsh
Murphy	Schumer	Warner
Murray	Shaheen	Whitehouse
Nelson	Stabenow	Wicker
Pryor	Tester	Wyden
Reed	Thune	

## NAYS—19

Brown	McCaskill	Scott
Crapo	Moran	Sessions
Cruz	Paul	Shelby
Franken	Portman	Vitter
Heller	Risch	Warren
Lee	Rubio	
Manchin	Sanders	

## NOT VOTING—4

Chambliss	Feinstein
Coburn	Inhofe

The PRESIDENT pro tempore. On this vote, the yeas are 77, the nays are 19.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Cloture having been invoked, the motion to refer fails.

## AGRICULTURAL EXEMPTIONS

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent to engage in a colloquy with my colleague, Senator MIKULSKI.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. FEINSTEIN. Mr. President, I wish to discuss an important matter related to H.R. 83, the omnibus bill, with my colleague from Maryland, Senator MIKULSKI. As you know, section 111 of this bill for the Corps of Engineers discusses the agricultural exemptions under section 404(f)(1)(A),(C) of the Clean Water Act.

There has been some confusion as to exactly what this provision does and doesn't do. I would like to clarify that this provision does not expand or modify the current agricultural exemptions that are contained in the Clean Water Act nor does it impact the "recapture" provision in section 404(f)(2).

Mr. President, can the Senator from Maryland provide a further explanation of the issue?

Ms. MIKULSKI. First and foremost, I wish to thank the Senator from California for her efforts in negotiating the difficult issues within the Energy and Water portion of the omnibus bill.

As the Senator knows, the original House language would have kept the Corps of Engineers from regulating the agricultural exemptions as well as essentially eliminating the recapture provision where permits are needed if an exempted activity impacts waters of the U.S. by impairing circulation of or reducing the reach of such waters.

I was pleased that the language that we were able to work out with Chairman ROGERS and include in the omnibus dropped the language in the original House provision. The compromise language does not change current law and preserves the current scope of agricultural exemptions. The simple fact remains that if you needed a permit before, you will need to get a permit under this provision; if you didn't need

one before, you won't under this provision.

Mrs. FEINSTEIN. I thank my colleague so much for this clarification. This is a very important clarification.

## LEAD CONTENT REGULATION

Mrs. BOXER. Mr. President, I ask unanimous consent to engage in a colloquy with my colleague, Senator MIKULSKI.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. BOXER. Mr. President, I am joined by the chair of the Appropriations Committee to discuss a provision in the fiscal year 2015 Omnibus appropriations bill, which we will vote on shortly in the Senate.

The provision is section 425 of division F of the fiscal year 2015 Omnibus appropriations bill, which preserves the status quo with regard to the regulation of the lead content of certain items. As House Report 113-551 and the Omnibus Joint Explanatory Statement each explain, section 425 prohibits the use of funds to regulate the lead content of: (1) ammunition, (2) ammunition components, and (3) fishing tackle. The Toxic Substances Control Act regulates the chemical content of products. However, the Environmental Protection Agency has denied petitions to regulate the lead content of ammunition and fishing tackle under this statute. The omnibus provision simply reaffirms EPA's decision not to regulate the lead content of ammunition or fishing tackle under TSCA.

While I oppose restricting EPA's ability to regulate the content of bullets and fishing tackle, I think it is important to be clear about what this provision does. I would ask my colleague, Senator MIKULSKI, if she agrees with this interpretation of section 425.

Ms. MIKULSKI. I thank Senator BOXER. As chairman of the Appropriations Committee and lead author of the fiscal year 2015 Omnibus appropriations bill, I agree with her understanding of section 425.

Mr. LEVIN. Mr. President, today we face a difficult choice. The appropriations bill before us today contains a lot of good for Michigan and for our country, and it will provide most of our Federal agencies, and the people who rely on them, with the certainty needed to plan and invest. But it also contains some very troubling provisions.

We shouldn't use appropriations bills like this one to weaken our financial protection laws and to open the floodgates to campaign donations from millionaires. We shouldn't fund our financial regulators far below what they need to do their jobs. We shouldn't meddle with the will of the majority of residents in our Nation's Capital. And we shouldn't let tax cheats walk free by funding the IRS at the lowest level in years. I could go on and on about the flaws in this bill, and there is one in particular that I will highlight further.

But despite these significant flaws, the alternatives to this bill are also deeply problematic. Passage of a con-

tinuing resolution, which would put the Federal Government on autopilot, or worse, a government shutdown, are the two alternatives to passage of this bill. So that leaves us with the terrible decision we face today. So this bill appears poised to pass because it must and because it is better than the terrible alternatives I just discussed. If my vote were needed to pass this bill, I would, grudgingly, vote in favor. But it appears that this bill will pass regardless, and so I will not vote in favor of it today because I wish to express my deep concern about a number of provisions.

That provision, which guts the swaps pushout rule, will repeal an antibailout section of the Dodd-Frank act and risk putting taxpayers back on the hook for Wall Street banks' risky bets. As chairman of the Permanent Subcommittee on Investigations, just last month I held a hearing on bank involvement in the commodities markets. As chairman of the Permanent Subcommittee on Investigations, just last month I held a hearing on bank involvement in the commodities markets. We found that Wall Street had huge, wide-ranging ownership and control of and inside information about oil, copper, aluminum, uranium, and electricity markets at the same time they were engaging in financial transactions related to those same commodities posing big risks to the banks and, as a result, to the taxpayers who could be called on to bail them out in the event that those bets go awry.

Less than 14 years ago, the seeds of our financial crisis were planted in a derivatives provision planted in the 2001 appropriations bill. This provision, which like the provision in the bill before us, was added at the last minute and not subject to debate on its own, exempted derivatives from regulatory scrutiny, and left regulators, banks, and the American public on the hook when risky bets went bad.

As a result, Congress voted to enact a prohibition against Federal Government bailouts of swaps entities, or the swaps pushout rule, as part of the Dodd-Frank Wall Street Reform and Consumer Protection Act. This provision bans big banks from conducting risky derivatives trading in their insured banking units—the units that taxpayers would have to bail out if their bets went wrong.

Now we risk repeating the same mistake of 2001.

The language of the provision was written—literally written—by lobbyists for the big banks. According to a New York Times report, 70 of the 85 lines of the provision came directly from Wall Street's recommendations. Even more surprisingly, according to the Times, "two crucial paragraphs, prepared by Citigroup in conjunction with other Wall Street banks, were copied nearly word for word."

The Senate has long operated under rules that prevent legislative changes from being made on an appropriations

bill. This provision runs completely against that longstanding precedent. The swaps pushout provision is bad policy, and it is bad procedure. And if I could vote against that provision by itself, I certainly would.

But, unfortunately, because of where we are today and because of the decision to insert the unrelated, lobbyist-drafted provision into this bill at the last minute, we won't be able to consider that provision on its merits. Instead, we are considering this as part of an all-or-nothing package, with the threat of a continuing resolution or a government shutdown looming.

So, I will vote against this bill despite much good that it would do for my State and for our country in hopes that the next Senate will heed the warnings of myself and many of my colleagues that the provision in this bill weakening our country's banking regulations may sow the seeds of another taxpayer funded bank bailout and another financial crisis.

Ms. COLLINS. Mr. President, I wish to speak on the fiscal year 2015 Consolidated and Further Continuing Appropriations Act that is currently before the Senate.

For the last year, members of the Appropriations Committee have worked hard to develop bipartisan bills that establish priorities and responsibly fund the government. While I would have much preferred each of these bills to have been brought to the floor individually so they could be debated and amended, passage of this compromise legislation to keep government open and provide vital services to Americans who depend on them is essential.

While the legislation funds nearly all government operations, programs, and agencies through the remainder of the fiscal year, notably, this bill funds the Department of Homeland Security only through February 27, 2015, giving Congress time to thoughtfully respond to the President's unilateral action on immigration. While I supported the bipartisan legislation to reform our immigration laws that passed the Senate last year, I believe President Obama's recent Executive action on immigration circumvents Congress and undermines the separation of powers in our Constitution. This bill gives Congress time to formulate an appropriate response.

In addition to the regular funding contained in this bill, the legislation also provides more than \$5 billion in emergency funding to address the Ebola crisis at home and abroad. The scope and urgency of this crisis require continued attention, and this funding will build on the important initial investment for the Centers for Disease Control and Prevention and the Department of Health and Human Services that Congress provided in September.

I want to highlight the important work that Chairman MURRAY and I have accomplished as the leaders on the Transportation and Housing and

Urban Development Subcommittee on Appropriations. Over this past year, Senator MURRAY and I worked together to craft a bipartisan bill that includes input from Members on both sides of the aisle and provides the necessary resources to meet our nation's transportation and housing needs. Every Member of Congress has unmet transportation and housing needs in his or her home State, from crumbling roads and bridges to a growing population of low income families, elderly, and disabled individuals in need of housing assistance.

There are a number of key programs that I would like to highlight. With regard to transportation infrastructure, we secured funding to address the safe transportation of crude oil and other hazardous materials by rail, strengthening three components: prevention, mitigation, and response. These safety measures will help to prevent disasters like the horrific derailment in Lac-Mégantic, Quebec, last year—so very close to the Maine border.

We also provide \$500 million for the TIGER program, an effective initiative that helps advance transportation infrastructure projects. We all have seen firsthand how TIGER projects create jobs and support economic growth in our home States. In fact in Maine this highly competitive program has supported more than \$90 million in funding for roads, bridges, ports, and rail projects.

Turning to air travel, the aviation investments included in the bill will continue to modernize our Nation's air traffic system and keep rural communities connected to the transportation network. These investments are creating safer skies and a more efficient airspace to move the flying public.

Also included in the bill are provisions I authored, which were adopted by the Appropriations Committee by a bipartisan vote of 21 to 9, to respond to potential safety concerns related to DOT regulations governing truck drivers. As a result of unintended consequences of these regulations, more trucks have been forced on our Nation's roads during the most congested morning hours—when commuters are traveling to work and children are traveling to school. The bill provides temporary relief until the DOT Secretary conducts a comprehensive study on the impacts of these unanticipated outcomes.

In addition to these transportation programs, our bill provides sufficient funding to keep pace with the rising cost of housing programs for our most vulnerable families. More than four million families will continue to receive critical rental assistance for housing. Without it, many of these families would otherwise become homeless.

The bill reflects our strong commitment to reduce homelessness and includes more than \$2 billion for Homeless Assistance Grants. Since 2010, we have reduced overall chronic homeless-

ness by 21 percent and veterans' homelessness by 33 percent. This program works. That is why we build on these successes and provide an additional 10,000 HUD-VASH vouchers to serve our Nation's veterans.

While we continue to help families in need, we also recognize the struggles facing our local communities. Boosting local economies is critical to job creation and helping families obtain financial security. Our bill supports these local development efforts by providing \$3 billion for the Community Development Block Grants program. This is an extremely important program for States and communities because it allows them to tailor the Federal funds to support local economic and job creation projects.

Other provisions of the bill make equally important investments in our national security, energy infrastructure, veterans, and health and human services.

For our military and our national security, I particularly appreciate that the bill fully funds the *Arleigh Burke*-class DDG-51 and *Zumwalt*-class DDG-1000 destroyers. The destroyers are known as the real workhorses of the fleet and are critical to maintaining the robust forward naval presence our nation requires especially in a time of increasing threats to our security. The continued support of the destroyer programs is also a strong testament to the hard work and dedication of the men and women at Bath Iron Works in Maine. Bath-built truly is best built.

The bill also includes funding for the procurement of 38 F-35s and for four additional aircraft. The F-35 is vital to maintaining air superiority, and components of the aircraft are built by skilled workers at Pratt & Whitney in North Berwick, General Dynamics Ordnance and Tactical Systems in Saco, Hunting Dearborn, Inc. in Fryeburg, and Fairchild Semiconductor in South Portland. Neither the bill, nor the report, recommends an unnecessary study of an extra engine for the F-35 fighter, which would have wasted billions of dollars.

Turning to our Nation's public shipyards, I am pleased that this bill funds our Navy's facility maintenance and modernization efforts, including projects at Portsmouth Naval Shipyard in Kittery, ME. The agreement contains language I secured that ensures the capital investment for the Navy's four public shipyards, including the Portsmouth Naval Shipyard, is funded at the level required by law.

For the men and women serving in uniform all over the world, the bill also rightly rejects many of the President's proposals that would have imposed burdens on many servicemembers and their families.

For our Veterans, I am pleased that this bill provides funding for the highly successful Access Received Closer to Home program, or ARCH, which provides critical care to our veterans living in rural areas, including those living in Northern Maine. The ARCH pilot

program provides VA-covered health care services through non-VA providers and has been crucial to increasing access to care for rural Maine veterans.

The funding bill also provides additional resources to implement the reforms included in the recently enacted Veterans Access to Care through Choice, Accountability, and Transparency Act.

We must increase our investment in biomedical research, and this bill provides \$72 million in new funding for Alzheimer's Disease research, treatment, and caregiver programs. This important step takes us closer toward the goal of doubling funding for Alzheimer's research and eventually reaching the level of \$2 billion a year in federal investment. This is the amount that the chairman of the Alzheimer's Advisory Council has said will be necessary if we are to reach our goal of having a way to prevent or effectively treat Alzheimer's Disease by 2025. At a time when Alzheimer's is costing our Nation \$214 billion a year, including \$150 billion in costs to Medicare and Medicaid, we are spending less than \$600 million a year on Alzheimer's research. While this bill does take a step forward, clearly we need to do more given the tremendous human and economic toll this devastating disease takes on our Nation.

In addition, this funding bill makes important investments in agricultural research and extension activities, from potatoes to wild blueberries to aquaculture and forest products, while maintaining a commitment to nutrition and food security. The agreement finally allows all fresh vegetables, including the fresh, white potato, to be included in the WIC program while USDA carries out an evaluation of the nutrient value of all vegetables, helping to ensure that any long-term policy is transparent and reflects the latest science.

This bill also makes important commitments to our energy infrastructure and provides robust funding for the Department of Energy wind program. This program funds the offshore wind demonstration projects, including the R&D project being carried out by the University of Maine. Federal seed money is helping overcome barriers to the development and implementation of new and innovative technologies, such as deepwater offshore wind, which can position the U.S. as a global leader in innovative clean energy.

To help address the high cost of residential energy, particularly for those living in northern, rural States like Maine, funding is provided in this bill for the Weatherization program. This program plays an important role in permanently reducing home energy costs for low-income families and seniors. Moreover, the funding included for LIHEAP will help ensure that many of our most vulnerable families and seniors do not have to choose between paying for heat and paying for other necessities such as food or medicine.

Helping to meet the water infrastructure needs of smaller states and regions is another vital piece of our National infrastructure. This bill includes funding for the operation and maintenance of Army Corps projects at smaller harbors, which are the economic lifeblood for many rural communities, a fact not fully accounted for under the Corps' budget metrics, which tend to favor larger ports.

The bill also continues to support our nation's fisheries, which are so important to the economies of our coastal communities, particularly in Maine. From funding for annual stock assessments, surveys and monitoring, and cooperative research, the bill supports key State and Federal partnerships. It provides funding to ensure fisheries data collection accurately reflects stock sustainability and funding for NOAA to invest in the science and research necessary to sustainably manage our fisheries in a way that continues to support our fishing fleets.

Finally, I am pleased to see that the bill includes full funding for the Trade Adjustment Assistance programs that are so important in Maine, and for which Senator KING and I both advocated. As we continue to deal with the recent job losses at paper mills in Maine, this assistance to displaced workers is extremely important.

Completing action on this bill will keep government open and provide essential services to Americans who depend on them. While there are aspects of this compromise legislation that should have been subject to debate and amendment in an open process by the full Senate, including provisions that affect significantly multi-employer pensions and our campaign finance laws, we simply cannot allow a government shutdown. For that reason, I will be voting for this compromise legislation, and I urge my colleagues do so as well.

Mr. MANCHIN. Mr. President, I rise today to voice my opposition to the spending bill we are being forced to vote on. I am not voting to shut down the government. I am voting to negotiate on a bill where we are at least able to participate. I am voting to stay here, work with all my colleagues on a better bill, and put an end to the dysfunctional process we are forced to endure every year. I have read through the bill, and I am sure everyone can find something in here that they like.

I certainly have some items in the bill that will help my little State of West Virginia. But there is just too much waste, too much taxpayer risk, and too little transparency for me to stomach.

In the 4 years I have been in the Senate and on the Armed Services Committee, I have heard from officials on the damage done by the sequester and how it has cannibalized the Armed Forces. And yet, while DOD officials were forced to absorb across-the-board cuts in 2013, I have made it a point to ask if they are being forced into

projects they don't want or need. This bill, however, completely ignores what the Department of Defense has said.

We are wasting \$5 billion on Department of Defense spending that the Pentagon did not ask for and does not need. They didn't ask for some of these ships, tanks and airplanes, but we are forcing them to purchase those projects anyway. And not only are we wasting this money, but we are denying it from other important programs that desperately need those funds.

In this bill, we gut hard-working Americans' pensions, and instead of using the \$5 billion to fund the Care Act, which ensures that the UMWA's Pension Plan remains solvent to benefit miners who have helped power this Nation, we give the Pentagon tanks and ships and planes they don't need or even want. We have seen our political process become more corrosive than ever in recent years.

We have already seen the negative effects that the Citizens United ruling has had on our elections. It has allowed unlimited and dark money to distort the records of our colleagues, flood our airwaves with negative advertisements and shrink our campaigns to sound bites instead of ideas.

And what does this bill do to address this? It increases the limits for individual contributions to political parties by 10 times the current limit—10 times. The current limit of \$32,400 was already too high for most West Virginians and Americans to be able to take full advantage. The new limit of \$324,000 is inconceivable for the vast majority of Americans. That means that our political process will only be available to a small number of wealthy individuals who will have more influence on our government than the hard-working Americans we are sent here to represent.

Main Street America is still hurting from the fallout of Wall Street's greedy behavior. Americans lost 8.8 million jobs and our GDP fell by at least \$7.2 trillion. We lost a generation of jobs and economic progress. And while our economy is still trying to recover and millions of Americans are still out of work, Wall Street has seen record profits.

Instead of working to help our small businesses, community banks, and credit agencies, this bill allows Wall Street banks to go back to the same risky behavior that drove us into the great recession in the first place. If we pass this bill, we will allow Wall Street banks to trade risky derivatives and once again force American taxpayers to bail them out if they lose their bets.

Haven't we learned our lesson yet? If big banks want to trade in risky derivatives and act with greed, then they should bear the cost of their mistakes, not the American taxpayer.

Mr. President, I understand omnibus bills are made out of negotiation and compromise, but negotiations start

with participation. Here, most Members of the Senate were not even consulted on this bill, nor was there an opportunity to offer amendments.

Senator Robert C. Byrd, a man who defined what it meant to be a representative of the people and one of the most dedicated and passionate United States Senators to date, told me what it was like to work in the Senate before the process was broken. Upon arriving in the Senate, I assumed those same rules of conduct applied until Members here in this body explained to me just how much has changed.

We used to consider individual appropriations bills that were carefully deliberated by committee members, and then we brought those smaller bills to the floor and were given an opportunity to offer amendments and debate the bill in a timely, proper manner. Somehow, the Senate process has gotten away from the days of regular order. Instead, here we are today, where we were given two days to read a 1,600-page bill loaded with provisions that we cannot even amend.

Since we are forced to consider this bill as a whole, I have determined that it is simply too flawed for me to support.

I urge my colleagues to stay here another week and truly draft a bipartisan omnibus package that fairly represents American values.

The PRESIDENT pro tempore. The Senator from Texas.

Mr. CRUZ. Mr. President, 1 month ago President Obama announced unprecedented Executive amnesty, in direct conflict with the immigration laws passed by Congress. Tonight is the first opportunity that Congress has to express its disapproval.

A dozen Democrats have publicly criticized the Executive amnesty. Tonight, both Democrats and Republicans will have the opportunity to show America whether they stand with the President, who is defying the will of the voters, or with the millions of Americans who want a safe and legal immigration system.

This point of order is targeted not to the entire omnibus but specifically to the DHS funding that the President has announced will be spent unconstitutionally.

If you believe President Obama's amnesty is unconstitutional, vote yes. If you believe President Obama's amnesty is consistent with the Constitution, then vote no. Accordingly, I raise a constitutional point of order against Division L of the pending House amendment, on the grounds that it violates the following provisions of the Constitution: the separation of powers embodied in the vesting clauses of article I, section 1, and article II, section 1; the enumerated powers of Congress, stated in article I, section 8; and the requirement that the President take care that the laws be faithfully executed as stated in article II, section 3.

It is incumbent on this body to resolve those constitutional questions

and to honor and protect the constitutional authority of the United States Congress.

I ask for the yeas and nays.

The PRESIDENT pro tempore. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The majority leader.

Mr. REID. Mr. President, the junior Senator from Texas raises a point of order attacking the pending legislation on the grounds that the President has acted unconstitutionally. The junior Senator from Texas is wrong, wrong, wrong on several counts. But most importantly for us this evening, it is an attack on this bill because this is not an appropriate place to debate the constitutionality of any executive branch action. Under the precedents of the Senate, the Senate determines whether it is constitutional to consider the legislation before it.

The House of Representatives passed this legislation before us in an exercise of its powers under article I of the United States Constitution. This bill has, thus, originated in the House within the meaning of the origination clause of the Constitution.

Voting on this measure is no different from thousands of other measures on which the Senate has voted. The Constitution objection is completely—completely—without merit and should be rejected.

The PRESIDENT pro tempore. Who yields time?

Mr. REID. Mr. President, I yield back all time.

The PRESIDENT pro tempore. All time has expired.

Mr. REID. Mr. President, regular order.

The PRESIDENT pro tempore. All time has expired. Regular order has been requested.

Under the precedents and practices of the Senate, the Chair has no power or authority to pass on such a point of order. The Chair, therefore, under the precedents of the Senate, submits the question to the Senate, Is the point of order well taken?

The yeas and nays were previously ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) is necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Georgia (Mr. CHAMBLISS), the Senator from Oklahoma (Mr. COBURN), and the Senator from Oklahoma (Mr. INHOFE).

The result was announced—yeas 22, nays 74, as follows:

[Rollcall Vote No. 353 Leg.]

YEAS—22

Blunt	Grassley	Paul
Boozman	Hoeven	Portman
Burr	Isakson	Risch
Crapo	Johanns	Roberts
Cruz	Lee	
Fischer	Moran	

Rubio	Sessions	Thune
Scott	Shelby	Vitter

NAYS—74

Alexander	Gillibrand	Mikulski
Ayotte	Graham	Murkowski
Baldwin	Hagan	Murphy
Barrasso	Harkin	Murray
Begich	Hatch	Nelson
Bennet	Heinrich	Pryor
Blumenthal	Heitkamp	Reed
Booker	Heller	Reid
Boxer	Hirono	Rockefeller
Brown	Johnson (SD)	Sanders
Cantwell	Johnson (WI)	Schatz
Cardin	Kaine	Schumer
Carper	King	Shaheen
Casey	Kirk	Stabenow
Coats	Klobuchar	Tester
Cochran	Landrieu	Toomey
Collins	Leahy	Udall (CO)
Coons	Levin	Udall (NM)
Corker	Manchin	Walsh
Cornyn	Markey	Warner
Donnelly	McCain	Warren
Durbin	McCaskill	Whitehouse
Enzi	McConnell	Wicker
Flake	Menendez	Wyden
Franken	Merkley	

NOT VOTING—4

Chambliss	Feinstein
Coburn	Inhofe

The PRESIDENT pro tempore. The question was put to the Senate, Is the point of order well taken?

On this vote, the yeas are 22, the nays are 74.

The point of order is not well taken.

Under the previous order, the motion to concur with amendments is withdrawn.

The PRESIDENT pro tempore. The question is on agreeing to the motion to concur in the House amendment to the Senate amendment to H.R. 83.

The majority leader.

Mr. REID. Mr. President, this will be the last vote tonight. We hope to be able to start at 9:30 Monday morning with the next vote. We will let everyone know for sure.

Mr. WICKER. I ask for the yeas and nays.

The PRESIDENT pro tempore. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) is necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Georgia (Mr. CHAMBLISS), the Senator from Oklahoma (Mr. COBURN), and the Senator from Oklahoma (Mr. INHOFE).

The PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 56, nays 40, as follows:

[Rollcall Vote No. 354 Leg.]

YEAS—56

Alexander	Coats	Heinrich
Ayotte	Cochran	Heitkamp
Baldwin	Collins	Hoeven
Barrasso	Coons	Isakson
Begich	Cornyn	Johanns
Bennet	Donnelly	Johnson (SD)
Blunt	Durbin	Kaine
Boozman	Enzi	King
Burr	Fischer	Kirk
Cardin	Graham	Landrieu
Carper	Hagan	Leahy
Casey	Hatch	McConnell



Mikulski	Roberts	Toomey
Murkowski	Rockefeller	Udall (CO)
Murphy	Schatz	Udall (NM)
Murray	Schumer	Walsh
Nelson	Shaheen	Warner
Pryor	Stabenow	Wicker
Reid	Thune	

## NAYS—40

Blumenthal	Hirono	Reed
Booker	Johnson (WI)	Risch
Boxer	Klobuchar	Rubio
Brown	Lee	Sanders
Cantwell	Levin	Scott
Corker	Manchin	Sessions
Crapo	Markey	Shelby
Cruz	McCain	Tester
Flake	McCaskey	Vitter
Franken	Menendez	Warren
Gillibrand	Merkley	Whitehouse
Grassley	Moran	Wyden
Harkin	Paul	
Heller	Portman	

## NOT VOTING—4

Chambliss	Feinstein
Coburn	Inhofe

The motion was agreed to.

Ms. MIKULSKI. I move to reconsider the vote.

Mr. REID. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. HEINRICH). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

### CORRECTING THE ENROLLMENT OF H.R. 83

Mr. REID. I ask unanimous consent that the Senate proceed to the consideration of H. Con. Res. 122, correcting the enrollment of H.R. 83, providing a new title; that the concurrent resolution be agreed to; and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (H. Con. Res. 122) was agreed to.

### UNANIMOUS CONSENT AGREE-MENT—MANDATORY QUORUM REQUIRED UNDER RULE XXII

Mr. REID. I ask unanimous consent that the mandatory quorum required under rule XXII be waived with respect to the cloture motions filed during today's discussion on the nominations.

The PRESIDING OFFICER. Without objection, it is so ordered.

### MORNING BUSINESS

Mr. REID. I ask unanimous consent that the Senate proceed to a period of morning business, during which time Senators be permitted to speak for up to 10 minutes each.

### EXPLANATION OF CONGRESSIONAL INTENT

Mr. REID. Mr. President, the intent of division N, section 101 is to establish separate limits for funds raised into separate, segregated accounts established by national political party committees for certain specified purposes. All of these funds are "hard money" subject to all of the source limitations, prohibitions, and disclosure provisions of the act.

The first account, described in section 315(a)(9)(A) of the Federal Election Campaign Act of 1971, "FECA", as amended, is intended to allow a national committee of a political party—other than a national congressional campaign committee—to defray expenses related to a Presidential nominating convention using funds raised under separate, increased limits. Section 315(a)(9)(A) also caps the aggregate amount of expenditures a national political party committee may make from such account with respect to any convention at \$20,000,000. This section is intended to provide national political party committees with a means of acquiring additional resources to be used specifically in connection with the funding of Presidential nominating conventions because such conventions may no longer be paid for with public funds. It is the intent to allow these funds to be used in the same manner as the former public funds could have been used, as well as to pay for the costs of fundraising for this segregated account.

The second account, described in section 315(a)(9)(B) of FECA, as amended, is intended to permit a national committee of a political party—including a national congressional campaign committee of a political party—to defray expenses incurred with respect to the construction, purchase, renovation, operation and furnishing of party headquarters buildings located throughout the United States, including the cost of fundraising for this segregated account, using funds raised under separate, increased limits. Funds in these accounts also may be used to repay loans and other obligations incurred for the purpose of defraying such building expenses, including loans and obligations incurred 2 years before the date of the enactment of this act.

The third account, described in section 315(a)(9)(C) of FECA, as amended, is intended to permit a national committee of a political party—including a national congressional campaign committee of a political party—to defray expenses incurred with respect to the preparation for and the conduct of election recounts and contests and other legal proceedings, including the costs of fundraising for this segregated account, using funds raised under a separate limit. Section 101 of division N is not intended to modify Federal Election Commission precedent permitting the raising and spending of funds by campaign or State or national party committees. See FEC Advisory Opin-

ions 2006-24, 2009-4. Section 101 is also intended to permit the national parties to use such funds for costs, fees, and disbursements associated with other legal proceedings.

Finally, under current law coordinated limits do not apply even absent these provisions to the existing accounts as described in section 315 of FECA and therefore it is the intent of the amendments contained herein that expenditures made from the accounts described in section 315(a)(9) of FECA, many of which, such as recount and legal proceeding expenses, are not for the purpose of influencing Federal elections, do not count against the coordinated party expenditure limits described in section 315(d) of FECA.

### FIRST STATE HISTORICAL NATIONAL PARK

Mr. CARPER. Mr. President, I ask unanimous consent to engage in a colloquy with the chair of the Energy and Natural Resources Committee, Senator LANDRIEU, concerning the authorization of the First State National Historical Park that was included within H.R. 3979, the National Defense Authorization Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CARPER. As the chairman is aware, our staffs worked diligently with property owners and other stakeholders in the drafting of the language authorizing the First State National Historical Park within H.R. 3979. The authorization includes language that redesignates the sites currently within the boundary of the First State National Monument and authorizes four additional sites—the Old Swedes Church, Fort Christina, the John Dickinson Plantation, and the Ryves Holt House—to be included within the boundary of the new First State National Historical Park. The language authorizes the National Park Service to acquire the listed additional sites only under very specific parameters, including by purchase from a willing seller; by exchange, which can only be achieved if the property owner consents; or by donation. No lands or interests in land can be acquired by condemnation, so no landowner can be forced to sell their property for inclusion in the park. To further clarify our intent, the legislation references a map outlining the boundaries for each of the eligible sites.

I would like to ask the Chair of the Committee on Energy and Natural Resources whether she agrees with my intent and understanding of the language authorizing the First State National Historical Park within H.R. 3979 in that no additional property can be included in the boundaries of the park until the U.S. government has acquired the property, and furthermore, that no property can be acquired—either in fee title or an interest in land, such as an easement—unless acquired from a landowner who willingly desires to sell or



donate. I would also like to ask the chairman if it is her understanding that none of these properties could be acquired for inclusion within the boundaries of the park by the exercise of Federal power of eminent domain?

Ms. LANDRIEU. I want to thank the Senator from Delaware for raising these important issues. I agree with his understanding and description of the land acquisition provisions for the First State National Historical Park within H.R. 3979, that the language does not permit condemnation, so that the only way a specific property can be acquired by the Federal Government is through a voluntary sale by the landowner.

Mr. CARPER. I thank the Senator from Louisiana for her comments and her leadership on this issue. I also would like to thank the committee staff, especially David Brooks, for all the hard work they have done over the years to make a national park a reality in Delaware.

#### BUDGETARY REVISIONS

Mrs. MURRAY. Mr. President, the Bipartisan Budget Act of 2013, which Congress passed a year ago this month, not only provided relief to families, servicemembers, and the economy from the harmful effects of sequestration, but also put an end to the recent fiscal crises and uncertainty by establishing a bipartisan budget for two years.

Pursuant to section 116 of the Bipartisan Budget Act, I previously filed budgetary aggregates and committee allocations for budget year 2015. Today, I am adjusting those levels to account for H.R. 83, the Consolidated and Further Continuing Appropriations Act, 2015.

Section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985 establishes statutory limits on discretionary spending and allows for various adjustments to those limits, while sections 302 and 314(a) of the Congressional Budget Act allows the Chairman of the Budget Committee to establish and make revisions to allocations, aggregates, and levels consistent with those adjustments. H.R. 83, which has

passed the House, is eligible for the following adjustments:

Division A, the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, which includes \$91 million in budget authority and \$40 million in outlays that is designated as disaster funding, and \$25 million in budget authority and \$7 million in outlays designated as an emergency.

Division C, the Department of Defense Appropriations Act, which includes \$64 billion in budget authority and \$30.476 billion in outlays that is designated as Overseas Contingency Operations funding, and \$112 million in budget authority and \$119 million in outlays that is designated as emergency funding.

Division G, the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, which includes \$1.484 billion in budget authority and \$1.277 billion in outlays for program integrity initiatives, and \$2.742 billion in budget authority and \$933 million in outlays designated as an emergency.

Division I, the Military Construction and Veterans Affairs and Related Agencies Appropriations Act, which includes \$221 million in budget authority that is designated as Overseas Contingency Operations.

Division J, the State, Foreign Operations, and Related Agencies Appropriations Act, which includes \$9.258 billion in budget authority and \$2.233 billion in outlays that is designated as Overseas Contingency Operations funding, and \$2.526 billion in budget authority and \$468 million in outlays designated as an emergency.

Because I previously filed adjustments for most of these bills after they were reported by the Committee on Appropriations, the adjustments I am making today takes into account those existing adjustments and reflect only the net difference.

In total, I am revising the budgetary aggregates for 2015 by a total of \$11.351 billion in budget authority and \$3.983 billion in outlays. I am also revising the budget authority and outlay allocations to the appropriations com-

mittee for 2015 by a total of \$6.048 billion in revised nonsecurity budget authority, \$5.967 billion in revised security budget authority, and \$4.567 billion in total outlays.

I am pleased to note that the funding in the omnibus appropriations bill is fully consistent with the bipartisan limits on discretionary spending agreed to in the Bipartisan Budget Act.

Mr. President, I ask unanimous consent that the following tables detailing the changes to the allocation to the Committee on Appropriations and the budgetary aggregates be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### DETAIL BY CATEGORY ON ADJUSTMENTS TO FISCAL YEAR 2015 ALLOCATIONS TO COMMITTEE ON APPROPRIATIONS PURSUANT TO SECTIONS 302 AND 314(a) OF THE CONGRESSIONAL BUDGET ACT

[\$s in billions]

	Adjustments Made for Committee-Reported Bills*	Total Funding Eligible for Adjustments in H.R. 83	Changes to Existing Adjustments to Match Total H.R. 83 Adjustments
Overseas Contingency Operations			
BA .....	68.344	73.479	5.135
Outlays .....	30.868	32.709	1.841
Emergency			
BA .....	0.000	5.405	5.405
Outlays .....	0.075	1.527	1.452
Program Integrity Initiatives			
BA .....	0.000	1.484	1.484
Outlays .....	0.000	1.277	1.277
Disaster			
BA .....	0.100	0.091	-0.009
Outlays .....	0.043	0.040	-0.003
Total			
BA .....	68.444	80.459	12.015
Outlays .....	30.986	35.553	4.567

\* Excludes adjustments made for the Department of Homeland Security Appropriations bill, which is funded in H.R. 83 on a temporary basis through February 27th, 2015, and therefore no further adjustments are appropriate at this time.

#### DETAIL ON ADDITIONAL ADJUSTMENTS BY SUBCOMMITTEE TO FISCAL YEAR 2015 ALLOCATIONS TO COMMITTEE ON APPROPRIATIONS PURSUANT TO SECTIONS 302 AND 314(a) OF THE CONGRESSIONAL BUDGET ACT

[\$s in billions]

	Program Integrity	Disaster Relief	Emergency	Overseas Contingency Operations	Total
H.R. 83. Consolidated and Further Continuing Appropriations Act, 2015*					
Agriculture					
Budget Authority .....	0.000	-0.009	0.025	0.000	0.016
Outlays .....	0.000	-0.003	0.007	0.000	0.004
Defense					
Budget Authority .....	0.000	0.000	0.112	4.281	4.393
Outlays .....	0.000	0.000	0.044	2.108	2.152
Labor-HHS-ED					
Budget Authority .....	1.484	0.000	2.742	0.000	4.226
Outlays .....	1.277	0.000	0.933	0.000	2.210
MilCon-VA					
Budget Authority .....	0.000	0.000	0.000	0.221	0.221
Outlays .....	0.000	0.000	0.000	0.000	0.000
State-Foreign Operations					
Budget Authority .....	0.000	0.000	2.526	0.633	3.159
Outlays .....	0.000	0.000	0.468	-0.267	0.201
Total					
Budget Authority .....	1.484	-0.009	5.405	5.135	12.015
Outlays .....	1.277	-0.003	1.452	1.841	4.567
Breakdown of Above Adjustments by Category					
Revised Security Category Budget Authority .....	0.000	0.000	0.112	5.855	5.967

## DETAIL ON ADDITIONAL ADJUSTMENTS BY SUBCOMMITTEE TO FISCAL YEAR 2015 ALLOCATIONS TO COMMITTEE ON APPROPRIATIONS PURSUANT TO SECTIONS 302 AND 314(a) OF THE CONGRESSIONAL BUDGET ACT—Continued

[\$s in billions]

	Program Integrity	Disaster Relief	Emergency	Overseas Contingency Operations	Total
Revised Nonsecurity Category Budget Authority .....	1.484	— 0.009	5.293	— 0.720	6.048
General Purpose Discretionary Outlays .....	1.277	— 0.003	1.452	1.841	4.567

\* This table reflects the additional adjustments needed to match the Congressional Budget Office estimate of Divisions A–K as well as sections 8, 10, and 11 of H.R. 83, Consolidated and Further Continuing Appropriations Act, 2015 as passed by the House on December 11, 2014. Division L continues temporary funding for the Department of Homeland Security (OHS) through February 27th, 2015, and therefore no further adjustments are appropriate at this time. Adjustments were made in July, 2014, for disaster and overseas contingency operations funding included in the Senate-reported DHS bill.

## REVISIONS TO THE BUDGET AUTHORITY AND OUTLAY ALLOCATIONS TO THE COMMITTEE ON APPROPRIATIONS FOR FISCAL YEAR 2015 PURSUANT TO SECTIONS 302 AND 314(a) OF THE CONGRESSIONAL BUDGET ACT OF 1974

[In millions of dollars]

	Current Allocation/Limit	Adjustments*	Adjusted Allocation/Limit
Fiscal Year 2015:			
Revised Security Category Discretionary Budget Authority .....	579,851	5,967	585,818
Revised Nonsecurity Category Discretionary Budget Authority .....	508,872	6,048	514,920
General Purpose Discretionary Outlays .....	1,191,978	4,567	1,196,545
Memorandum: Total Discretionary Budget Authority .....	1,088,723	12,015	1,100,738

\* Pursuant to section 314(a) of the Congressional Budget Act of 1974, the allocation to the Committee on Appropriations will be adjusted following the reporting of bills, offering of amendments, or submission of conference reports that qualify for adjustments to the discretionary spending limits as outlined in section 251(b) of the Balanced Budget and Emergency Deficit Control Act of 1985.

## BUDGETARY AGGREGATES PURSUANT TO SECTION 116 OF THE BIPARTISAN BUDGET ACT OF 2013 AND SECTION 311 OF THE CONGRESSIONAL BUDGET ACT OF 1974

[\$s in millions]

	2015
Current Spending Aggregates*:	
Budget Authority .....	3,015,088
Outlays .....	3,035,641
Adjustments**:	
Budget Authority .....	11,351
Outlays .....	3,983
Revised Spending Aggregates:	
Budget Authority .....	3,026,439
Outlays .....	3,039,624

\* 2015 current spending aggregates reflect previous adjustments made for disaster, overseas contingency operations, and emergency.

\*\* Note: reflects the additional adjustments needed to match the Congressional Budget Office estimate of Divisions A–K as well as sections 8, 10, and 11 of H.R. 83, Consolidated and Further Continuing Appropriations Act, 2015 as passed by the House on December 11, 2014. Note that it also excludes the budget authority and outlays for program integrity initiatives classified as off-budget.

## VOTE EXPLANATION

Mr. MENENDEZ. Mr. President, I was unavoidably detained for rollcall vote No. 327, the motion to proceed to executive session to consider Executive Calendar No. 1084, Sarah Saldana to become the Assistant Secretary for Immigration and Customs Enforcement at the Department of Homeland Security. Had I been present, I would have voted yea.

Mr. President, I was unavoidably detained for rollcall vote No. 328, the motion to proceed to legislative session. Had I been present, I would have voted yea.

## TRIBUTE TO ADRIENNE HALLETT

Mr. HARKIN. Mr. President, the omnibus appropriations bill that the Senate approved today includes the Labor, Health and Human Services, and Education, and Related Agencies bill. Or, as we like to refer to it, the Labor-HHS bill. Most people didn't think that would happen. They thought Labor-HHS was too controversial. There was no way the Senate and House could work out a compromise on this bill. But we did, and as the Senate clerk of the Labor-HHS bill, Adrienne Hallett is the staffer who deserves the greatest credit. More than any other staffer, the

burden of completing this bill fell on her. Despite what so many people expected, she made it happen.

Adrienne has been an outstanding staff director of my Labor-HHS subcommittee. She has served the Appropriations Committee and the Senate extraordinarily well during her 15 years of Senate service. I believe she will continue to serve it well after my term expires. I think a bit of background will help you understand why I have this view.

First of all, Adrienne has strong Iowa roots. She hails from Cedar Rapids, where her mom still lives and enjoys the company of dozens of relatives throughout the State. Her father left us too soon after a battle with ALS ended over a decade ago. However, before his untimely death he had already helped Adrienne develop a strongly held view on service and a can-do spirit that propels her forward in pursuit of solutions to challenges that seemingly can't be overcome. He also had already supported Adrienne in her pursuit of higher education.

That higher education started with a degree in philosophy from the University of Northern Iowa, UNI. Now, you might say that such a degree is perfect for the ponderous Senate. What I have noticed is that the ethical decision-making skills she honed there have enabled her to more effectively find agreements that help the Senate and Congress advance good public policy. I will discuss some of that policy in a moment.

After earning her degree from UNI she went on to divinity school at Vanderbilt University, where she earned a master's degree and then went on to work for the Vice Chancellor for Health at Vanderbilt University Medical Center. Fortunately for me, Adrienne did not stay long before she joined my staff in Washington, DC in 1999.

Adrienne quickly demonstrated what an asset she was to me through her hard work and dedication to serving my Iowa constituents. I realized she could help me serve them and all Americans even better by joining my

labor-HHS subcommittee staff which she agreed to do in 2001.

Now, I frequently am thanked and recognized for the things I have done as one of Iowa's Senators and in my role leading the labor-HHS subcommittee. What most people don't always know is the role that Adrienne Hallett has played in helping make those accomplishments a reality.

I think of community health centers from Clinton to Council Bluffs. That is thousands of families in Iowa receiving critical medical care they need to stay healthy or recover from injury or illness.

There is the Job Corps Center in Ottumwa that will give hundreds of youth another chance at education and training that will enable them to be self-sufficient and positively contribute to society.

There is the National Civilian Community Corps campus in Vinton. Hundreds of young men and women are being trained for service projects in local communities throughout the North Central region of the United States.

I could go on and on in naming centers and programs around Iowa where someone has thanked me for something that Adrienne helped make possible. But it is not just Iowa that has benefited from her service.

It is also the expansion of community health centers throughout the United States. There are millions of families being served by those centers.

Something so close to my heart is the significant role she has played in advancing public health systems in the United States and throughout the world. These all are things where I am recognized for something Adrienne helped make possible.

Adrienne, I join with the entire Senate family in thanking you for your outstanding service and offering best wishes to you for the future.

## REMEMBERING RUFUS JONES

Mr. PORTMAN. Mr. President, I wish to offer a tribute to my uncle, Rufus

Jones, who died last week at age 88. He was a dear friend, a devoted husband and father of six, and a WW II veteran who was a member of the "greatest generation." In fact, he signed up for the Navy straight out of high school. He went back to school at Purdue after the war and got a degree in mechanical engineering and went on to a career in business. He also served his community in many ways, including being a member of the vestry at his church and a member of the Worthington, OH School Board.

I remember him as an uncle who always had a smile on his face and never had an unpleasant word for anyone, as a friend later in life, and as a stalwart supporter of mine.

Today, I was home in Ohio to attend the visitation and funeral of my uncle. I regret that I was absent from procedural votes, but had I not given him a proper farewell, I would have regretted that more. He will be missed.

## MESSAGES FROM THE HOUSE

### ENROLLED BILLS SIGNED

The President pro tempore (Mr. LEAHY) announced that on today, December 13, 2014, he had signed the following enrolled bills, previously signed by the Speaker pro tempore of the House (Mr. WOLF):

S. 1353. An act to provide for an ongoing, voluntary public-private partnership to improve cybersecurity, and to strengthen cybersecurity research and development, workforce development and education, and public awareness and preparedness, and for other purposes.

S. 1474. An act to amend the Violence Against Women Reauthorization Act of 2013 to repeal a special rule for the State of Alaska, and for other purposes.

H.R. 2640. An act to amend the Wild and Scenic Rivers Act to adjust the Crooked River boundary, to provide water certainty for the City of Prineville, Oregon, and for other purposes.

H.R. 3096. An act to designate the building occupied by the Federal Bureau of Investigation located at 801 Pollin Lane, Vienna, Virginia, as the "Michael D. Resnick Terrorist Screening Center".

H.R. 3329. An act to enhance the ability of community financial institutions to foster economic growth and serve their communities, boost small businesses, increase individual savings, and for other purposes.

H.R. 4771. An act to amend the Controlled Substances Act to more effectively regulate anabolic steroids.

H.R. 5057. An act to amend the Energy Policy and Conservation Act to permit exemptions for external power supplies from certain efficiency standards, and for other purposes.

### ENROLLED JOINT RESOLUTION SIGNED

At 5:54 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker pro tempore (Mr. WOLF) has signed the following enrolled joint resolution:

H.J. Res. 131. Joint resolution making further continuing appropriations for fiscal year 2015, and for other purposes.

The joint resolution was subsequently signed by the President pro tempore (Mr. LEAHY).

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MENENDEZ, from the Committee on Foreign Relations, without amendment with a preamble:

S.J. Res. 47. An original joint resolution to authorize the limited use of the United States Armed Forces against the Islamic State of Iraq and the Levant (Rept. No. 113-323).

## INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. MENENDEZ:

S.J. Res. 47. An original joint resolution to authorize the limited use of the United States Armed Forces against the Islamic State of Iraq and the Levant; from the Committee on Foreign Relations; placed on the calendar.

## ADDITIONAL COSPONSORS

### AMENDMENT NO. 4118

At the request of Ms. WARREN, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of amendment No. 4118 intended to be proposed to H.R. 83, to require the Secretary of the Interior to assemble a team of technical, policy, and financial experts to address the energy needs of the insular areas of the United States and the Freely Associated States through the development of energy action plans aimed at promoting access to affordable, reliable energy, including increasing use of indigenous clean-energy resources, and for other purposes.

## AMENDMENTS SUBMITTED AND PROPOSED

SA 4119. Mr. TOOMEY (for himself, Mr. SESSIONS, and Mr. FLAKE) submitted an amendment intended to be proposed by him to the bill H.R. 83, to require the Secretary of the Interior to assemble a team of technical, policy, and financial experts to address the energy needs of the insular areas of the United States and the Freely Associated States through the development of energy action plans aimed at promoting access to affordable, reliable energy, including increasing use of indigenous clean-energy resources, and for other purposes; which was ordered to lie on the table.

## TEXT OF AMENDMENTS

SA 4119. Mr. TOOMEY (for himself, Mr. SESSIONS, and Mr. FLAKE) submitted an amendment intended to be proposed by him to the bill H.R. 83, to require the Secretary of the Interior to assemble a team of technical, policy, and financial experts to address the energy needs of the insular areas of the United States and the Freely Associated States through the development of energy action plans aimed at promoting access to affordable, reliable

energy, including increasing use of indigenous clean-energy resources, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division L, add the following: SEC. \_\_\_\_\_. None of the funds appropriated or otherwise made available, including any funds or fees collected or otherwise made available for expenditure, by this or any other Act, or otherwise available to the Secretary of Homeland Security, for any fiscal year may be used to implement, administer, carry out, or enforce the policies in the memoranda issued by the Secretary of Homeland Security on November 20, 2014, titled "Policies for the Apprehension, Detention and Removal of Undocumented Immigrants," and "Exercising Prosecutorial Discretion with Respect to Individuals Who Came to the United States as Children and with Respect to Certain Individuals Who Are the Parents of U.S. Citizens or Permanent Residents."

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. WALSH). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MURPHY). Without objection, it is so ordered.

## CLOTURE MOTION WITHDRAWN—EXECUTIVE CALENDAR NO. 1058

Mr. REID. I ask unanimous consent that the cloture motion with respect to Executive Calendar No. 1058 be withdrawn.

The PRESIDING OFFICER. Without objection, it is so ordered.

## UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that notwithstanding rule XXII, on Monday, December 15, 2014, following leader remarks, the Senate proceed to executive session for consideration of Executive Calendar Nos. 681, Murthy; 979, Santos; 635, Rose; 1084, Saldana; 1150, Blinken; that at 4:30 p.m., there be 1 hour equally divided in the usual form on the Murthy nomination and at 5:30 p.m. the Senate proceed to vote on cloture on Calendar No. 681, Murthy; that if cloture is invoked, all postcloture time be expired and the Senate proceed to vote on confirmation of the nomination; that following disposition of the nomination, the Senate proceed to vote on Calendar Nos. 979, Santos, and 635, Rose; that if cloture is invoked, on Tuesday, December 16, 2014, following leader remarks, the Senate proceed to executive session and all postcloture time be expired and the Senate proceed to vote on confirmation of the nominations in the order listed.

Further, that at 2:30 p.m., the Senate proceed to vote on cloture on Calendar No. 1084, Saldana; that if cloture is invoked, all postcloture time on the nomination be expired and the Senate proceed to vote on the nomination.

Further, that at 5 p.m., the time until 6 p.m. be equally divided in the usual form, and at 6 p.m. the Senate proceed to vote on cloture on Calendar No. 1150, Blinken; that if cloture is invoked, all postcloture time be expired and the Senate proceed to vote on confirmation of the nomination.

Further, that if any nomination is confirmed, the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nomination; that any statements related to the nomination be printed in the RECORD; that the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WALSH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

## EXECUTIVE SESSION

### NOMINATIONS DISCHARGED

Mr. WALSH. Mr. President, I ask unanimous consent that the Senate proceed to executive session and the commerce committee be discharged from further consideration of: PN 1816, PN 2000, PN 2142, PN 2143, PN 2144, and PN 2145 and the Senate proceed to their consideration; that the nominations be confirmed, the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nomination; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate then resume legislative action.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed are as follows:

#### COAST GUARD

The following named officer for appointment to Director of the Coast Guard Reserve pursuant to Title 14, U.S.C., section 53(b) in the grade indicated:

#### *To be rear admiral*

Rear Admiral (Selectee) James M. Heinz

The following named officers for appointment in the United States Coast Guard to the grade indicated under title 14, U.S.C., section 271(e):

#### *To be rear admiral (lower half)*

Capt. Steven J. Andersen  
Capt. Pat DeQuattro  
Capt. William G. Kelly  
Capt. John P. Nadeau  
Capt. Joanna M. Nunan  
Capt. Keith M. Smith

Capt. David G. Throop

The following named officers for appointment to the grade indicated in the United States Coast Guard under title 14, U.S.C., section 271(e):

#### *To be captain*

Scott E. Anderson  
Michael M. Balding  
David C. Barata  
Richard E. Batson  
Matthew T. Beck  
Peter F. Brady  
Marko R. Broz  
Timothy J. Buchanan  
James D. Burns  
Sean M. Carroll  
Christopher J. Conley  
David W. Cooper  
Michael W. Cribbs  
Lucinda Cunningham  
Gregory J. Czerwonka  
Jerry W. Davenport  
Christina M. Davidson  
Mary M. Dean  
Daniel J. Deptula  
John C. Dettliff  
Eric J. Doucette  
John J. Driscoll  
Joseph S. Dufresne  
Joseph A. Dugan  
Patrick J. Dugan  
Andrew W. Eriks  
James C. Estramonte  
Owen L. Gibbons  
Christian J. Glander  
David J. Godfrey  
Jeffrey W. Good  
Ryan K. Griffin  
Randal A. Hartnett  
Timothy L. Haws  
Jonathan P. Hickey  
Russell E. Holmes  
David A. Husted  
Jeffrey A. Janszen  
Thomas J. Kaminski  
Christopher R. Kaplan  
Brian P. Keffer  
Scott J. Kelly  
Erich F. Klein  
Robert J. Landolfi  
Scott E. Langum  
Brandon W. Lechthaler  
Joseph B. Loring  
William J. Makell  
Michael C. McKean  
Carl R. Messalle  
Frances M. Messalle  
Thomas S. Meyer  
Charles D. Miller  
Thomas S. Morkan  
Holly L. Najarian  
Patrick S. Nelson  
Ronald Pailliotet  
Daniel K. Pickles  
Jeffrey K. Randall  
John W. Reed  
Rodd M. Ricklefs  
Stanley T. Romanowicz  
Richard J. Schultz  
Vincent J. Skwarek  
Kyle J. Smith  
Thomas J. Stuhldreier  
Paul D. Stukus  
Linda A. Sturgis  
Gregory B. Tlapa  
Troy J. Vest  
Kurtis L. Virkaitis  
Daniel P. Walsh  
Scott J. Weaver  
Christopher S. Webb  
Howard H. Wright  
Daniel L. Youngberg

The following named officers for appointment to the grade indicated in the United States Coast Guard Reserve under title 10, U.S.C. section 12203(a):

#### *To be captain*

Elizabeth A. Campbell  
Todd A. Childers  
James T. Cobb  
Richelle L. Johnson  
Miriam L. Lafferty  
Anthony Larusso  
Scott R. Linsky  
Thomas O. Martin  
Carol M. McAllister  
Sean D. Salter  
Lynn S. Sletto  
Kevin J. Smyth  
Christopher R. Stout  
Geoffrey J. Warren  
Kathleen A. Zygmunt

The following named officers for appointment to the grade indicated in the United States Coast Guard Reserve under title 10, U.S.C., section 12203(a):

#### *To be captain*

Philip R. Prather  
Kirby K. Sniffen

The following named officers for appointment to the grade indicated in the United States Coast Guard under title 14, U.S.C., Section 271(e):

#### *To be commander*

Micah N. Acree  
Erin N. Adler  
Edward W. Ahlstrand  
Eric C. Allen  
Jamie T. Amon  
Kyle S. Armstrong  
Jordan M. Balduenza  
David M. Bartram  
Derek C. Beatty  
James R. Bigbie  
James A. Binniker  
Stephen R. Bird  
Jose M. Bolanos  
Matthew T. Bourassa  
Matt A. Bournonville  
Jeffrey R. Bray  
Channing D. Burgess  
Patrick C. Burkett  
Gregory A. Callaghan  
James C. Campbell  
Michael J. Capelli  
Erick M. Carrero  
Justin M. Carter  
Drew M. Casey  
Sean R. Cashell  
John D. Cashman  
Eric R. Casler  
Robert B. Chambers  
John V. Chang  
Randall T. Chong  
Joseph A. Comar  
Peter A. Cook  
Daniel H. Cost  
Thomas G. Cowell  
Thomas D. Crane  
Michael A. Crider  
Egardo Cruz  
Patrick A. Culver  
Kenneth C. Cutler  
Douglas K. Daniels  
Stephen P. DaPonte  
Javier A. Delgado  
Matthew J. Denning  
Frederick D. Detar  
Shana R. Donaldson  
Janine E. Donovan  
Jason J. Dorval  
Rachel M. Eldridge  
Robin A. Ellerbe  
Theodore J. Erdman  
Thomas C. Evans  
Jessica A. Fant  
Peter E. Fant  
Frances Ann B. Fazio  
John M. Ferebee  
Elizabeth A. Fielder  
Thomas R. Foster  
Jamie C. Frederick

Matthew S. Furlong  
Lawrence D. Gaillard  
Joseph W. Gaskill  
Mark P. Glancy  
Jeffrey R. Graham  
Sean W. Green  
Andrew L. Guedry  
James J. Harkins  
Anthony H. Hawes  
Suzanne E. Hemann  
Jeff S. Henderson  
Brian J. Henry  
John Henry  
Chad B. Holm  
Ashley R. Holt  
Anna K. Hopkins  
Wesley K. Hout  
Jeffery S. Howard  
Thomas A. Howell  
Brian P. Huff  
Michael S. Jackson  
James L. Jarnac  
Meridena D. Kauffman  
Daniel P. Keane  
Brad W. Kelly  
Heather J. Kelly  
Shanell M. King  
Robert R. Kistner  
Breanna L. Knutson  
Brian M. Kostecki  
Jerry J. Krywaczuk  
Julie P. Kuck  
Michael R. Lachowicz  
Megan L. Lane-Cull  
Deborah S. Lindquist  
Anthony J. Maffia  
Romulus P. Matthews  
Williams L. McGoe  
Eugene D. McGuinness  
Brian J. McLaughlin  
Brian J. McSorley  
William L. Mees  
David L. Melton  
Andrew J. Meyers  
John H. Miller IV  
Stacy L. Miller  
Matthew J. Moorlag  
Guy A. Morrow  
Edward X. Munoz  
Andre C. Murphy  
Maurice D. Murphy  
Dawn W. Murray  
Loan T. O'Brien  
Michael G. Odom  
Craig T. Olesnevich  
Michael P. O'Neil  
Thomas A. Ottenwaelde  
Philbert C. Pabellon  
Joshua D. Pennington  
Eben H. Phillips  
Robert M. Pirone  
Charlotte E. Pittman  
Juan M. Posada  
Robert H. Potter  
Michael J. Rasch  
Micahel C. Reed  
David J. Reinhard  
Ryan S. Rhodes  
Luis J. Rodriguez  
Paul A. Rodriguez  
Blanca Rosas  
Gregory K. Sabra  
Scott M. Sanborn  
Mark C. Sawyer  
Norbert M. Schweinsberg  
Donald E. Shaffer  
Michael D. Sharp  
Gregory A. Shouse  
Keith L. Smith  
William E. Strickland  
James B. Sufferin  
Christopher J. Tantillo  
Gregory P. Torgersen  
Todd C. Troup  
Daniel R. Ursino  
Omar Vazquez  
Greg E. Versaw  
Richard E. Vincent

Randy S. Waddington  
Matthew J. Waldron  
Thomas W. Wallin  
Jon T. Warner  
Charles E. Webb  
Kimberly S. Wheatley  
Christopher J. Williammee  
Scott R. Williams  
Timothy C. Williamson  
Norman C. Witt  
William C. Woityra  
Michael J. Woodrum  
Robert S. Workman  
Michael J. Zeruto.

#### LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

#### AMENDING CERTAIN PROVISIONS OF THE FAA MODERNIZATION AND REFORM ACT OF 2012

Mr. WALSH. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 2591, which was received from the House and is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 2591) to amend certain provisions of the FAA Modernization and Reform Act of 2012.

There being no objection, the Senate proceeded to consider the bill.

Mr. WALSH. Mr. President, I ask unanimous consent that the bill be read three times and passed and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 2591) was ordered to a third reading, was read the third time, and passed.

#### IMPOSING SANCTIONS WITH RESPECT TO THE RUSSIAN FEDERATION AND PROVIDING ADDITIONAL ASSISTANCE TO UKRAINE

Mr. WALSH. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 5859, which is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 5859) to impose sanctions with respect to the Russian Federation, to provide additional assistance to Ukraine, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. WALSH. Mr. President, I ask unanimous consent that the bill be considered read a third time and the Senate proceed to vote on passage of the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill was ordered to a third reading, and was read the third time.

The PRESIDING OFFICER. Is there further debate?

If not, the bill having been read the third time, the question is, Shall the bill pass?

The bill (H.R. 5859) was passed.

Mr. WALSH. Mr. President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### SIGNING AUTHORITY

Mr. WALSH. Mr. President, I ask unanimous consent that Senator LEVIN be authorized to sign the enrollment of H.R. 3979.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ORDERS FOR MONDAY, DECEMBER 15, 2014

Mr. WALSH. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Monday, December 15, 2014; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; and that following any leader remarks, the Senate proceed to executive session as provided under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PROGRAM

Mr. WALSH. Mr. President, for the information of all Senators, there will be up to four rollcall votes at 5:30 p.m. on Monday on cloture on Murthy, if cloture is invoked, on confirmation of Murthy, and cloture on the Santos and Rose nominations.

#### ADJOURNMENT UNTIL MONDAY, DECEMBER 15, AT 10 A.M.

Mr. WALSH. If there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 11:42 p.m., adjourned until Monday, December 15, 2014, at 10 a.m.

#### DISCHARGED NOMINATIONS

The Senate Committee on Commerce, Science, and Transportation was discharged from further consideration of the following nominations by unanimous consent and the nominations were confirmed:

COAST GUARD NOMINATION OF REAR ADMIRAL (SE-LECTEE) JAMES M. HEINZ, TO BE REAR ADMIRAL.  
COAST GUARD NOMINATIONS BEGINNING WITH CAPT. STEVEN J. ANDERSEN AND ENDING WITH CAPT. DAVID G. THROOP, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 8, 2014.

COAST GUARD NOMINATIONS BEGINNING WITH SCOTT E. ANDERSON AND ENDING WITH DANIEL L. YOUNGBERG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 13, 2014.

COAST GUARD NOMINATIONS BEGINNING WITH ELIZABETH A. CAMPBELL AND ENDING WITH KATHLEEN A. ZYGMUNT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 13, 2014.

COAST GUARD NOMINATIONS BEGINNING WITH PHILIP R. PRATHER AND ENDING WITH KIRBY K. SNIFFEN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 13, 2014.

COAST GUARD NOMINATIONS BEGINNING WITH MICAH N. ACREE AND ENDING WITH MICHAEL J. ZERUTO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 13, 2014.

CONFIRMATIONS

Executive nominations confirmed by the Senate December 13, 2014:

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO DIRECTOR OF THE COAST GUARD RESERVE PURSUANT TO TITLE 14, U.S.C., SECTION 53(B) IN THE GRADE INDICATED:

*To be rear admiral*

REAR ADMIRAL (SELECTEE) JAMES M. HEINZ

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES COAST GUARD TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 271(E):

*To be rear admiral (lower half)*

CAPT. STEVEN J. ANDERSEN  
CAPT. PAT DEQUATTRO  
CAPT. WILLIAM G. KELLY  
CAPT. JOHN P. NADEAU  
CAPT. JOANNA M. NUNAN  
CAPT. KEITH M. SMITH  
CAPT. DAVID G. THROOP

COAST GUARD NOMINATIONS BEGINNING WITH SCOTT E. ANDERSON AND ENDING WITH DANIEL L. YOUNGBERG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 13, 2014.

COAST GUARD NOMINATIONS BEGINNING WITH ELIZABETH A. CAMPBELL AND ENDING WITH KATHLEEN A. ZYGMUNT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 13, 2014.

COAST GUARD NOMINATIONS BEGINNING WITH PHILIP R. PRATHER AND ENDING WITH KIRBY K. SNIFFEN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 13, 2014.

COAST GUARD NOMINATIONS BEGINNING WITH MICAH N. ACREE AND ENDING WITH MICHAEL J. ZERUTO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 13, 2014.